MINUTES
TOWN BOARD
July 8, 2020

The Town of Manlius Town Board live streaming from their homes, with Supervisor Edmond Theobald presiding and the following Board members present:

Karen Green, Councilor
Sara Bollinger, Councilor
Elaine Denton, Councilor
John Deer, Councilor
Heather Waters, Councilor
Katelyn M. Kriesel, Councilor

The following Town Officers were present:

Tim Frateschi, Attorney for the Town
Mike Crowell, Police Chief
Doug Miller, Town Engineer
Randy Capriotti, Director of Codes
Allison A. Weber, Town Clerk
Rob Cushing, Highway Superintendent
Ann Oot, Town Manager

1. The Pledge of Allegiance

The Town Board recited the Pledge of Allegiance. Supervisor Theobald, called the meeting to order at 6:30 pm.

Moment of Silence for Bill Lund, Supervisor for the Town of Tully he was 82years old. Mr. Lund was involved in the town for 50 years as Town Supervisor and a school board member.

Moment of Silence for Ethel Kellish, 100-year-old Minoa resident and mother of Janet Stanley Town of Manlius Court Clerk.

3. Approval of Minutes – June 10, 2020

Councilor Green made a motion, seconded by Councilor Bollinger, to approve the minutes of June 10, 2020 as submitted by Town Clerk Weber.

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

4. Approval of Abstract # 13

Councilor Bollinger made a motion, seconded by Councilor Denton, to approve Abstract # 13 as submitted by Town Clerk Weber.

	TOWN OF MANLIUS	
	Fund Summary	
	Abstract # 13 - 2020	
CODE	**FUND**	**TOTALS**
A	General Fund Townwide	$ 257,808.64
B	General Fund Town	$ 8,757.46
CM1	Police Trust	$ 48.00
DA	Highway Fund Townwide	$ 30,938.59
DB	Highway Fund Town	$ 93,537.32
SL1	Overhead Lighting	$ 1,461.35
SL2	Underground Lighting	$ 2,072.50
SL3	Entry Lighting	$ 93.91
SL4	Garden Park Lighting	$ 604.05
SL5	Ratnaur Bridge Lighting	$ 2,372.00
SR1	Manlius Trash District	$ 168.44
SR2	Manlius Res Brush District	$ 168.44
SS1	Manlius Con Sewer District	$ 1,606.42

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

5. Continuation of Public Hearing – Proposed Local Law for "No Parking Signs" on Hale Rd.

Town Clerk Weber read the following comments into the record:

- David Rothchild of Hale Rd. stated he would suggest the signs be put in only problem areas of the road.
- Steve Atkinson of Hale Rd. stated he would encourage the town to approve the signage.
- Amber Suarani stated she is opposed to the no parking signs because this is a public street.

Councilor Bollinger made a motion, seconded by Councilor Green, to waive the reading of the public notice in the matter of the proposed local law for "No Parking Signs" on Hale Rd.

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

Councilor Waters made a motion, seconded by Councilor Denton, to open the public hearing at 6:43 PM in the matter of the proposed local law for "No Parking Signs" on Hale Rd.

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

Darcy and John Prizner of Hale Rd. stated they had submitted a letter in support of the No Parking signs along with neighbors Kay Peters, Mr. King and Mr. Hale. Mr. Prizner stated that over the years they have seen a lot of people disrespecting their property, littering and beer bottles and other items left on the lawns. Mr. Hale has had to chase people off his property. Mr. Prizner stated there can be 20 to 30 cars parked on the road to watch the sunset and late into the evening.

Town Clerk Weber read a statement into the record from Benjamin Suarani. Mr. Suarani stated that the sites from Palmer Rd and Hale Rd. are special and the town should investigate extending the shoulder of the road on Palmer Rd. to provide a safe location for cars to park. Mr. Suarani stated the town should purchase some of the land and turn it into a park.

Mary Kay Peters of Hale Rd. submitted a letter stating that over the past five years people coming to Hale Rd. have become noisy, disrespectful, leave litter, and engage in illegal activities. Ms. Peters stated it is unfortunate that the privilege must be taken away.

Anonymous Zoom Attendee stated that maybe a nature conservancy could get involved.

Highway Superintendent Cushing stated that Palmer Rd. is a county road and the requested no parking signs are for Hale Rd. Highway Superintendent Cushing stated the town has no control over the maintenance of Palmer Rd. Superintendent Cushing added that the shoulder of Palmer Rd. was paved by the County to give the plow trucks additional room to push the snow back off the road and the shoulder is not for parking.

Councilor Waters stated that the land around Hale Rd. is privately owned. Councilor Waters stated that the Town is working on a comprehensive plan and residents who would like to donate lands or form land trust should contact the Town. Councilor Waters stated that the residents on Hale Rd. have come together and expressed their concern as this is an issue for their neighborhood.

Police Chief Crowell stated his officers have been responding to an increasing number of calls for illegal activity and littering on Hale Rd.

Councilor Kriesel stated people seem to be concerned about not being able to park on a public road but no parking signs on a road does not make it a private road.

Attorney Frateschi stated that Hale Rd. is a road by use which means the property owner owns the road to the center of the road. The Town has the right of way over the street that the traveling public uses. If the public is parking on the shoulder of the road they are on private property.

Councilor Deer stated that passing this law will give the police the right to move cars along that may be causing road safety issues and/or public safety issues.

Highway Superintendent Cushing stated the speed limit of a road is 55mph when a specific mph has not been posted. Highway Superintendent Cushing stated if the residents would like a speed study done, they would need to send an email to Town Board stating their request.

Amber Suarani, Zoom Attendee, asked why the Town would plow the road if the road is owned by the residents?

Attorney Frateschi stated once a road is maintained by the Town for more than 10 years it becomes a town road and is then known as a road by use.

Superintendent Cushing stated most of old roads from the 30's and 40's are roads by use are.

With there being no further comments from the public, Councilor Green made a motion, seconded by Councilor Deer, to close the public hearing at 7:09 PM in the matter of proposed local law for "No Parking Signs" on Hale Rd.

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

Councilor Kriesel made a motion, seconded by Councilor Deer, to adopt Local Law 2020-5 for "No Parking Signs" on Hale Rd. as prepared by the Town Attorney.

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

6. Continuation of Public Hearing – Zone Change Brolex Properties, LLC, Manlius NY Zone Change from R1 (Residential District) to R3 (Residential District 3) tax map # 101.-02-02.1

Supervisor Theobald stated there was a question brought up at the last meeting concerning the correct zoning for nearby similar housing developments.

Attorney Frateschi stated the properties near this property with similar housing are zoned R1 not R3 as previously discussed. Attorney Frateschi stated the coloring on the zoning map made it difficult to distinguish clearly between R1 and R3. Attorney Frateschi stated the neighboring properties were built when the R1 zoning classification would allow for this type of use.

Councilor Denton stated the original request, that was reviewed by Onondaga County Planning Board (OCPB) was to change the zoning of the front lot from R1 to R3 and the back of the parcel would remain RA. Councilor Denton stated if the request is for the entire parcel to be rezoned R3 the application will need to be sent to OCPB for a new review.

Brandon Jacobson stated he was not sure if they could use Cluster Development 278 which would allow for more green space, if the entire parcel was not rezoned to R3. Mr. Jacobson stated he believes the entire lot would have to be zoned R3 to allow for the density needed to develop the upper lot. Mr. Jacobson asked if the Town could put a restriction on developing the back portion of the parcel if the entire parcel was rezoned R3.

Attorney Frateschi stated that rezoning the front of the parcel would not give the applicant the density they are requesting to develop the front of the parcel. Attorney Frateschi discussed the Planning Board review process.

Councilor Waters asked a question for resident Marsha Neely. Ms. Neely asked for more information on the truck traffic as that section of Rt. 92 can become very congested at certain times. Ms. Neely asked where the hook ups for the fire hydrants would be?

Brandon Jacobson asked if they could put a deed restriction on the back portion of the lot so it could not be developed?

Attorney Frateschi stated the Town Board does not believe that the applicant would like to develop the back of the parcel but changing the zoning of the entire parcel will allow the applicant to increase the building density for the front of the parcel.

Brandon Jacobson stated that he has addressed traffic concerns, stormwater, DOT and the proposal will have more green space than any of the other neighborhoods in the area. Mr. Jacobson ask why the Town Board was arbitrarily deciding what the proper density is when the density works on the site and is not using even 30% of the site. Mr. Jacobson stated that the proposed density for this parcel is less than Ravine Ridge which uses almost 60% of the site. Mr. Jacobson stated he feels as though he is getting penalized.

Councilor Kriesel asked Mr. Jacobson to confirm his request for the proposed zone change. Councilor Kriesel stated that the request is to rezone the entire parcel, with the only development on the top part of the parcel, so that the calculation used to determine cluster development will allow a density that is profitable. Mr. Jacobson answered yes.

Councilor Kriesel stated that it feels disingenuous on the Town Board part to change all of the zoning to allow the applicant to manipulate the density calculation.

Councilor Bollinger stated for the record, Mr. Jacobson had requested the R3 in a memo May 6th, and the extension to cover the RA in letter dated June 10th.

With there being no further comments from the public, Councilor Bollinger made a motion, seconded by Councilor Green, to close the public hearing at 7:53 PM in the matter of a Zone Change Brolex Properties, LLC, Manlius NY Zone Change from R1 (Residential District) to R3 (Residential District 3) tax map # 101.-02-02.1

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

The Town Board requested that the application for the entire parcel to be rezoned to R-3, be referred back to the Onondaga County Planning Board for a recommendation.

7. Continuation of Public Hearing – 3Gi Zone Change for Central New York Inland Port – from RA (Restricted Agricultural to ID (Industrial)

Councilor Deer stated the public information meeting for 3Gi was well attended and many aspects of the project were discussed. Councilor Deer stated that he and other attendees continue to get feedback on the project. Councilor Deer stated the Town Board discussed closing the public hearing and making a decision at a later date.

Anonymous Zoom Attendee stated that the proposed zone change may be the largest in the Town of Manlius in 60 years. The project is to obtuse and involved for any kind of vote to be carried through until the public has a much better ideal of nature and scale.

The Town Board discussed closing the public hearing and that a decision should be made at the July 22nd Town Board Meeting.

Councilor Waters and Town Clerk weber discussed the different ways that residents can review the proposal and the comments that have been submitted.

Facebook attendee Nan Clarke asked if everyone on the Town Board has visited the site. Town Clerk Weber answered yes.

Attendee Rich asked when the minutes will be posted to the website. Town Clerk Weber stated within one to two meeting cycles the approved minutes are posted and the meeting videos are available in Facebook and YouTube.

Warren Linhart asked what information is being asked of CSX?

Town Engineer Miller reviewed some of the questions that were sent to CSX.

- How many containers go through the port now and how many do they anticipate?
- How much truck traffic do they anticipate being generated from any future activities in and around Central New York?

Councilor Waters stated that her concern is that no one is owning the traffic for the area.

Councilor Waters stated that that are outside components that need review such as:

- Infrastructure issues like Route 81.
- Where the goods are being shipped from.
- The international ability of CSX.

- Warehouses like Amazon in the area.
- External factors like COVID
- People updating their supply chain depending on the trade war.
- Inland Port

Councilor Waters stated that it has been difficult to sift out the obstacles, barriers, incentives, and the agendas of all sides. Councilor Waters wants residents to know that the Town Board is wrestling with the proposal and thinking about how to be critical, ethical, engaged trying to have vision but also not denying practicality.

Garrett Malone, Zoom Attendee, (Fremont Rd.) asked:

- How will this project impact his taxes? Councilor Waters stated if this comes together it would be a private-public partnership and the Town will collect revenue.
- Will there be a barrier between his yard and the port/railyard? Matt Napierala, Napierala Consulting, stated there is a significate buffer of 500 to 800 feet off Fremont Rd. which is heavily treed.

Anonymous Attendee submitted the following statements: There are endangered bats in the area how will they be protected? Home values will plunge in the Fremont area due to traffic. Let's see if there are 30,000 containers a year and if each container has 4 truckloads that's 120,000 truckloads a year or 10,000 truckloads a month or 300 per day every day. Do you think that is excessive?

Anonymous Attendee asked: this is only to approve a zone change in the phase one area, correct? Town Clerk Weber answered it is just a zone change for the parcel it is no part of any approval for the project.

Warren Linhart stated that COVID aside, the traffic and noise is going to be enormous the environment will be affected and will increase and 3Gi will benefit. What monetary benefit will the Town of Manlius get out of this. What about the traffic on Route 81 if Syracuse adopts the community grid. There is no west interstate loop to decrease the traffic on the east.

Councilor Deer gave a recap of the proposed Zone Change and encouraged the public to submit questions and comments to the board before the July 22nd meeting.

8. Continuation of Public Hearing – Proposed Local Law Delegating Special Permits to Planning Board

Town Clerk Weber stated because of a legal publishing issue the board did except public comments at the last meeting but the Public Hearing could not be legally opened.

Councilor Bollinger made a motion, seconded by Councilor Deer, to waive the reading of the public notice in the matter of the proposed local law Delegating Special Permits to Planning Board

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

There being no comment from the public, Councilor Bollinger made a motion, seconded by Councilor Denton, to open the public hearing at 8:31 PM in the matter of the proposed local law Delegating Special Permits to Planning Board

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

Councilor Bollinger stated the proposed law will delegate the special permit approval process to the Planning Board. The proposed law would streamline the special permit process to make it less time consuming for the applicant. The special permit will now run contiguously with the site plan process at the Planning Board.

Councilor Deer stated he believes this is a smart change to processes.

Councilor Green and Town Engineer Miller both stated that the Planning Board is in strong support of this change.

Councilor Denton stated that this law already exists the only change it to the process, having the Planning Board due what Town Board use to do.

With there being no further comments from the public, Councilor Bollinger made a motion, seconded by Councilor Green, to close the public hearing at 8:35 PM in the matter of proposed local law Delegating Special Permits to Planning Board

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

Councilor Bollinger made a motion, seconded by Councilor Green, to adopt the proposed Local Law 2020-6 Delegating Special Permits to Planning Board

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

9. Draft Resolution for Comprehensive Planning

Councilor Waters stated the town's Comprehensive Planning Committee is looking at:

- What process and which funding mechanisms would be next.
- To develop and adopt an agreement that is going to contain goals and objectives and strategies for the future development and conservation of the town.
- The policies developed will be implemented over 10 to 15 years and will be a guiding document for land use laws.
- The plan will include the New York Stated Climate Smart Community Goals.
- Will be a guiding document for a land use laws which will still be developed through their normal process.
- Committee will include residents from all stages of life.
- There will be a small executive committee.
- Timeline of a Listening and Learning phase from July 2020 – May 2021.
- Timeline of Dreaming and Doing phase from June 2021 – May 2022.
- Virtual listening sections in September, October, and November.
- Apply for support from the NYS Consolidated Funding Association.
- A draft plan to include strategies, actions, policies, and programs to be implemented.

10. Correspondence/New Business

11. Highway Superintendent – No New Business

12. Planning & Development -No New Business

13. Attorney – No New Business

14. Town Clerk

Town Clerk Weber stated that due to the pandemic there have been some staff changes at town hall. Tina Galvin has been brought to the Town Clerk's office from Recreation and has become a good fit. Town Clerk Weber is requesting to give Tina a deputy clerk designation which will allow her to perform more functions. Town Clerk Weber stated she would also like to name a first deputy that would be able to act in behalf of the Town Clerk if the Town Clerk was not able to perform her duties.

Councilor Green made a motion, seconded by Councilor Deer, to appoint Tina Galvin to the position of Deputy Town Clerk.

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

Councilor Green made a motion, seconded by Councilor Deer, to appoint Deborah Witzel to the position of First Deputy Town Clerk.

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

15. Police Chief

Chief Crowell reported:

- Chief Crowell thanked the community members for their support and for their letters, cards, emails, donations, and food.
- Chief Crowell stated they received a significant donation from a community member which will go towards funding and enhancing some of the community policing programs.
- Chief Crowell stated that phase one of the renovation is ongoing and the temporary office trailer should be delivered in two weeks.

16. Town Manager

Town Manager Oot stated they are working on opening the building to the public.

17. Town Board

Councilor Bollinger discussed the proposed Commercial Zoning Classification changes submitted by the Planning Process Committee.

The draft Commercial Zoning Classifications will be posted on the Town website along with a brief video. The committee will take the following steps before the draft law is approved:

- The committee will be working to reach out to builder groups and developers to get their input.
- There will be a public information Zoom meeting on July 22nd at 5:00 PM for any comments or suggestions.
- Attorneys will write up the local law to be voted which will be posted on the Town's website and will be reviewed by Onondaga County Planning Board.
- A date for a public hearing on this local law will be set at the August 12th Town Board Meeting.

Councilor Denton is working on creating the Public Safety Advisory Committee and will have more information on this at the next meeting on July 22nd.

Councilor Deer gave an update on the steps being taken to have in-person board meetings.

18. Supervisor

Supervisor Theobald stated he received a letter from PERMA congratulating the town on filing their worker compensation claims in a timely manner of 10 days or less.

19. Adjournment

There being no further business to come before the Board, upon motion duly made by Councilor Green and seconded by Councilor Waters the Board voted unanimously to adjourn regular session at 9:04 PM.

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

Respectfully Submitted by:

Allison A. Weber
Town Clerk