

Agenda
Manlius Town Board
February 24, 2021
6:30 PM

1. Virtual Meeting Instructions

Documents:

[2-24-21 TOWN BOARD MEETING INSTRUCTIONS.PDF](#)

2. Senator Mannion's Office Introduction Prerna Deer

3. Pledge Of Allegiance

4. Open Podium

5. Approval Of Minutes - February 10, 2021

Documents:

[2-10-21 DRAFT.PDF](#)

6. Approval Of Abstract # 4

Documents:

[ABSTRACT 4.PDF](#)

7. Public Hearing - Zone Change Request For 7030 Manlius Center Rd. Commercial A (CA) To Commercial B (CB)

Documents:

[7030 MANLIUS CENTER ROAD - COVER PAGE.PDF](#)
[7030 MANLIUS CENTER ROAD - EAF-SIGNED.PDF](#)
[7030 MANLIUS CENTER ROAD - LEGAL DESCRIPTION.PDF](#)
[7030 MANLIUS CENTER ROAD - MAN 62.00-040-6.1,6.2 MAP.PDF](#)
[7030 MANLIUS CENTER ROAD - PROJECT NARRATIVE.PDF](#)
[7030 MANLIUS CENTER ROAD SK-5 LAYOUT PLAN.PDF](#)
[7030 MANLIUS CENTER ROAD SK-6 ZONE CHANGE PLAN.PDF](#)
[7030 MANLIUS CENTER ROAD ZONE CHANGE APPLICATION-SIGNED.PDF](#)
[7030 MANLIUS CENTER RD. - OCPB RESOLUTION Z-21-43.PDF](#)

8. Comprehensive Plan Barton & Loguidice, D. P. C.

Documents:

[BARTON AND LOGUIDICE, D. P. C. - AGREEMENT.PDF](#)

9. Standards For Electronic Real Property Tax Administration

Documents:

[2021 E-FILING RESOLUTION.PDF](#)

10. Peddler Permits

Documents:

[RESOLUTION SUSPENDING THE PEDDLER AND SOLICITORS
ORDINANCE.PDF](#)

- 11. Highway Superintendent
- 12. Planning & Development
- 13. Attorney
- 14. Town Clerk
- 15. Police Chief
- 16. Town Manager
- 16.I. 2020 Encumbrances/Budget Transfers

Documents:

[2020 ENCUMBRANCES-BUDGET TRANSFERS - DETAIL.PDF](#)

- 17. Committee Reports
 - 17.I. Public Safety Advisory Committee
 - View our Draft Plan and Summary
 - [HTTPS://WWW.TOWNOFMANLIUS.ORG/DOCUMENTCENTER/VIEW/1352](https://www.townofmanlius.org/documentcenter/view/1352)

Documents:

[RESOLUTION ADOPTING POLICE REFORM AND REINVENTION PLAN.PDF](#)

- 17.I.i. Comprehensive Planning
 - 17.I.i.1. Tree Commission
 - 17.I.i.1.1. Association Of Towns
- 18. Supervisor
- 19. Adjournment

This meeting is being recorded and live-streamed. the recording will broadcast live and will be posted to the town website at www.townofmanlius.org



February 24, 2020 – 6:30PM

Town Board Meeting Instructions

The easiest way to participate in the meeting is to use the link provided below. The meeting will be conducted on the ZOOM platform as a webinar. Please make sure that when you complete your attendee registration you enter your full name.

Click on the link or Enter the meeting URL web address as listed below:

<https://us02web.zoom.us/j/82254422991?pwd=NTNmaGhTY1VTK0NmS1NPTIVVb2VKdz09>

Password to join when prompted:

Password: **215062**

Enter your email address and name and join the meeting.

Join by telephone by dialing the number below:

(929) 436-2866

When prompted to enter the Webinar ID, use the number below followed by #

Webinar ID: 822 5442 2991

Press # again to skip the personal id and enter the password below followed by #

Password: **215062**

If this is your first time joining a ZOOM meeting you may practice using ZOOM meeting platform at <https://zoom.us/test>.

MINUTES
TOWN BOARD
February 10, 2021

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

Allison A. Weber, Town Clerk
Rob Cushing, Highway Superintendent
Randy Capriotti, Director of Codes

Other persons attending:

1. Introduction to Join the Virtual Town Board Meeting

Introduction of Zoom Meeting Participants:

2. The Pledge of Allegiance

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

3. Open Podium

Resident Paul Wagner spoke on personal knowledge of the history of the town and current interactions with the police department.

4. Approval of Minutes – January 27, 2021

Councilor Green made a motion, seconded by Councilor Bollinger, to approve the minutes of January 27, 2021 as submitted by Town Clerk Weber.

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

Nays: 0

All in Favor.

Motion Carries.

5. Approval of Abstract # 3

Councilor Bollinger made a motion, seconded by Councilor Green, to approve Abstract # 3 as submitted by Town Clerk Weber.

TOWN OF MANLIUS

Fund Summary
Abstract # 3 - 2021

CODE	FUND	TOTALS
A	General Fund Townwide	\$225,057.04
B	General Fund Town	\$8,780.80
DA	Highway Fund Townwide	\$96,285.80
SF1	Fayetteville Fire Protection	\$1,950,845.00
SF2	Manlius Fire Protection	\$1,381,757.74
SF3	Minoa Fire Protection	\$875,486.00
SF4	Kirkville Fire Protection	\$223,582.00
SL1	Overhead Lighting	\$1,653.36
SL2	Underground Lighting	\$2,422.81
SL3	Entry Lighting	\$107.49
SL4	Garden Park Lighting	\$641.46
SL5	Ratnaur Bridge Lighting	\$2,760.90
SR1	Manlius Trash District	\$185.87
SR2	Manlius Res Brush District	\$185.87
SS1	Manlius Con Sewer District	\$20.81
SS3	Megnin Sewer District	\$68,858.42

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

Nayes: 0 All in Favor. Motion Carries.

6. Public Hearing – Draft Local law Authorizing the Planning Board to issue Special Permits for Energy Systems

Attorney Frateschi stated that in August of 2020 the Town Board amended the special use permit section of the code to delegate authority to the Planning Board to issue special use permits. The Solar Energy System section of the Code still references the Town Board. The proposed local law amendment will make it clear that the Planning Board will issue special use permits for solar energy projects.

Councilor Green made a motion, seconded by Councilor Deer to waive the reading of the public notice in the matter of the draft local law authorizing the Planning Board to issue Special Permits for Energy Systems.

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 Kriesel, to open the public hearing at 6:46 PM in the matter of the draft Local law Authorizing the Planning Board to issue Special Permits for Energy Systems.

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

Nayes: 0

All in Favor.

Motion Carries.

Arnold Poltenson stated that the Planning Board has issued special permits for solar arrays for a 7-year period and the leases for the arrays run for 20 to 25 years involving a large amount of acreage.

Mr. Poltenson discussed the length of time that it takes for an applicant to begin construction on solar arrays and asked if there should be a condition in the special permit that requires construction to start within a certain period of time.

Attorney Frateschi stated special use permits normally have a 7-year expiration and site plans can have a time limit placed upon them for construction purposes if the planning board chooses to add that as a condition. Attorney Frateschi stated he believes setting a time limit on a site plan is a good idea.

Councilor Kriesel discussed the process the developer must go through to construct a solar array and why it takes so long to analyze the site before construction begins. Councilor Kriesel did agree that a time limit could be reviewed.

The Town Board agreed that the sunset time and the existing 1-mile rule for solar energy arrays should be reviewed by the Planning Board.

Councilor Bollinger made a motion, seconded by Councilor Green, to close the public hearing at 7:04 PM in the matter of the draft Local law Authorizing the Planning Board to issue Special Permits for Energy Systems.

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 Kriesel, to approve Local Law 2021-1 Authorizing the Planning Board to issue Special Permits for Energy Systems as outlined in the resolution prepared by the Attorney for the Town.

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

Nayes: 0

All in Favor.

Motion Carries.

7. Polling Place Agreement

Town Clerk Weber presented the standard polling place agreement with Onondaga County.

Councilor Green made a motion, seconded by Councilor Waters, to approve the polling place agreement for the use of Town Hall between the Town of Manlius and Onondaga County Board of Elections for a period of 5-years.

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

Nayes: 0

All in Favor.

Motion Carries.

8. Planning Board Appointment

Councilor Kriesel and Councilor Bollinger discussed the interview and selection process for the Planning Board position.

Councilor Bollinger made a motion seconded by Councilor Kriesel, to appoint Valerie Beecher to the position of member of the Planning Board with a term of 7 years to expire 12-31-2027.

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

Nayes: 0

All in Favor.

Motion Carries.

9. Zoning Board of Appeals Appointment

Councilor Waters discussed the interview and selection process for the Zoning Board of Appeals position.

Councilor Green made a motion seconded by Councilor Waters, to appoint Clare Miller to the position of member of the Zoning Board of Appeals with a term of 5 years to expire 12-31-2025.

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

Nayes: 0

All in Favor.

Motion Carries.

10. Comprehensive Plan Barton & Loguidice, D. P. C.

Councilor Bollinger stated there are a few details they would like to see added to the contract including:

- How long each step of the process will take to complete.
- The level of community engagement that the town expects.
- A stronger collection process of the initial ideas.

Councilor Bollinger stated the project will be still be capped at the budgeted \$50,000.

The contract was tabled until the next meeting for further review and amendments.

11. Standards for Electronic Real Property Tax Administration

Attorney Frateschi discussed a proposed draft resolution that would allow residents to file grievances electronically. Attorney Frateschi stated that the Town Board and the Assessor will be required to develop standards for a policy.

The Town Board discussed the matter and requested that the policies be drafted, and a resolution prepared for the next meeting.

12. Standard Workday Resolution

Town Clerk Weber presented a Standard Workday Reporting Resolution. The resolution is required for elected and appointed officials that participate in the New York State Retirement Program and they are required to complete a three-month reporting calendar of service. Town Clerk Weber stated that this resolution is being presented separately due to COVID as these individuals had to submit their reports later than others.

Councilor Bollinger made a motion, seconded by Councilor Green, to approve the Standard Workday Reporting Resolution for state retirement as prepared by Town Manager Oot.

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

Nayes: 0

All in Favor.

Motion Carries.

13. Highway Superintendent

Supervisor Cushing stated he is compiling specs for pickups that were budgeted for and hopes to get the bids out at the next meeting.

14. Planning & Development

Randy Capriotti, Director of Codes stated the department has compiled all data for the annual report. The report will be filed with New York State and a copy will be available to for the public to review.

Doug Miller Town Engineer stated there have been two requests for streetlights in the town.

- Corner of Route 5 and Springview Dr. - a onetime installation fee of \$856 for the pole and annual fee of \$111.82.
- 227 McClennan and Route 5- There is an existing pole and the annual fee will be \$95.97.

Town Engineer Miller stated that National Grid is proposing a new lighting program with ornamental heads and the prices may be lower in the spring.

Councilor Bollinger made a motion, seconded by Councilor Green, to approve installation of a light pole at the intersection of Route 5 and Springview Dr. with a onetime installation fee of \$856 for the pole and annual fee of \$111.82 to be added to the lighting district.

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 approve the additional installation of a streetlight on an existing pole at 227 McClennan and Route 5 with the annual fee of \$95.97 to be added to the lighting district.

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

Nayes: 0

All in Favor.

Motion Carries.

15. Attorney

Attorney Frateschi introduced a proposed draft Local Law that would allow domestic pets or comfort animals in the R1 zoning district. Attorney Frateschi requested input from the Town Board on the proposed law.

Councilor Denton stated the current code allows for a 50 sq ft structure to house dogs or cats. Councilor Denton suggested the current section of the code 155-A2D be amended to allow for a 50 sq ft structure to house dogs, cats, miniature goats, chickens, and rabbits.

Councilor Bollinger made a motion, seconded by Councilor Green, to set a date for a public hearing on March 10, 2021 at 6:35 PM for a proposed Local Law Amending Various Sections of the Zoning Code to Allow Certain Animals to be kept in the R1 District as Domestic Pets or Comfort Animals.

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

Nayes: 0 All in Favor. Motion Carries.

16. Town Clerk

Town Clerk Weber stated that a recent review of the current oaths on file in the Town Clerk's Office was completed and Mr. Poltenson has a current oath for the Board of Assessment Review only. Town Clerk Weber stated that Mr. Poltenson has not been the deciding vote on any matters on the Planning Board and a motion is required to re-appoint him.

Councilor Green made a motion seconded by Councilor Deer, to reappoint Arnold Poltenson to the position of member of the Planning Board with term of to expire 12-31-23.

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

Nayes: 0 All in Favor. Motion Carries.

Town Clerk Weber stated the town has recently received two requests for peddler permits. Town Clerk Weber requested the Town Board review their current policy on peddling and soliciting in the Town of Manlius during the pandemic. The Town Board discussed the matter and requested that the Attorney for the Town draw up a resolution temporarily suspending commercial peddler permits until guidance is received from New York State that is safe for those types of activities to resume.

Town Clerk Weber the Town has been offered a landlocked parcel in the Homewood Neighborhood from the Himppler estate.

The Town Board discussed the matter and maintenance implications of owning a landlocked parcel.

Attorney Frateschi stated that the town does not currently own property. The Town Board directed Town Clerk Weber to contact the Himpler Estate and decline the offer.

17. Police Chief

Chief Crowell gave the following report:

- New officer Katlyn Beebe with be starting soon.
- Chief Crowell continues to work with the county on the Governor's Executive Order 203 regarding police reform.
- New Governors executive order 70B effective April 1, 2021 makes the Attorney General in charge of all incidents associated with deaths at the hands of law enforcement.
- February in-service training under way.

18. Town Manager – No New Business

19. Committee Reports

Communications Committee

Councilor Deer stated the first Communications Committee meeting took place with reviewing what the committee is about and their goals.

Sustainable Manlius

Councilor Kriesel stated Sustainable Manlius meets the 1st Thursday of every month at 7:00 PM. The Town has officially been designated as a clean energy community and as such qualifies for a \$5,000 grant. The committee will be looking at other grants that are available.

Tree Commission

Councilor Waters stated the next meeting of the Tree Commission will meet February 16th at 5:00 PM. The Tree Commission will be reviewing the town code as it relates to trees and how it will work in supporting Sustainable Manlius. Councilor Waters announced that the Town of Manlius was once again named as a Tree City by the Arbor Day Foundation.

Comprehensive Planning Committee

Councilor Waters stated that Comprehensive Planning Committee has completed its three listening sessions, and the next step will be to build the steering committee.

Salt Springs Water District

Councilor Bollinger stated the Water District Committee which includes the (Skyridge Water District and the proposed Salt Springs Water District) will be making a presentation at the March 10th Town Board Meeting.

20. Supervisor

Councilor Green made a motion, seconded by Councilor Deer, to accept the Supervisor's monthly report for December 2020 as presented.

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

Nayes: 0

All in Favor.

Motion Carries.

21. Adjournment

There being no further business to come before the Board, upon motion duly made by Councilor Green and seconded by Councilor Kriesel the Board voted unanimously to adjourn regular session at 8:14 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

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	=====LINE ITEM=====	
				ANNUAL BUDGET	BUDGET 0 AVAILABLE B
2021	A00-2.690	Overpayments and Clearing	18,343.50		
	A00-5.1010.400	Town Board - Contractual	183.75	59,500	54,811.25
	A00-5.1110.401	Justices - Office Supplies	220.09	2,800	2,710.27
	A00-5.1220.405	Supervisor - Information T	450.00	6,000	5,550.00
	A00-5.1220.480	Supervisor - Payroll	580.06	31,700	25,858.68
	A00-5.1420.481	Attorney - Litigation	1,917.44	25,000	16,481.18
	A00-5.1620.405	Buildings - Information Te	13,061.11	194,500	156,398.68
	A00-5.1620.421	Buildings - Phone	859.27	10,680	7,877.76
	A00-5.1620.424	Buildings - Internet	67.90	2,150	1,765.37
	A00-5.1620.430	Buildings - Cleaning	1,376.25	17,550	13,843.22
	A00-5.1640.410	Central Garage - Gasoline	5,229.81	70,000	50,836.43
	A00-5.9045.800	Life Insurance	391.00	5,100	3,927.00
	A00-5.9061.800	Health Insurance Opt-Out	1,050.00	30,000	26,238.48
	B00-5.3620.421	P & D - Phone	95.00	2,840	2,283.60
	SR1-5.8160.400	Refuse - Contractual	112,500.67	1,313,915	1088,914.05
	SR2-5.8160.400	Refuse - Contractual	12,534.33	150,412	125,343.34
		** 2021 YEAR TOTALS	168,860.18		

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	-----LINE ITEM-----		-----GROUP BUDGET-----	
				ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG	ANNUAL BUDGET	BUDGET AVAILABI
2021-2022	A00-5.1220.401	Supervisor - Office Suppli	118.38	3,000	3,204.13	89,850	76,114
	A00-5.1410.408	Town Clerk - Printing/Ads	34.36	1,200	1,171.03	8,387	8,972
	A00-5.1620.430	Buildings - Cleaning	146.55	17,550	15,219.47	270,130	233,534
	A00-5.1640.411	Central Garage - Town Veh	86.05	2,500	2,351.61	73,000	58,881
	A00-5.3120.400	Police - Contractual	940.00	49,065	45,956.30	542,663	603,301
	A00-5.3120.401	Police - Office Supplies	334.95	12,785	11,217.23	542,663	603,301
	A00-5.3120.402	Police - Seminars/Conferen	385.00	24,725	27,637.00	542,663	603,301
	A00-5.3120.403	Police - Associations/Dues	80.00	2,760	2,476.00	542,663	603,301
	A00-5.3120.404	Police - Books/Publication	305.10	7,585	6,796.90	542,663	603,301
	A00-5.3120.412	Police - Vehicle Repair	14,835.42	94,541	129,537.47	542,663	603,301
	A00-5.3120.421	Police - Phone	171.96	30,600	29,389.29	542,663	603,301
	A00-5.3120.423	Police - Security Service	29.95	360	389.95	542,663	603,301
	A00-5.3120.425	Police - Building Maintena	62.50	2,650	2,261.75	542,663	603,301
	A00-5.3120.446	Police - Maintenance Contr	76.50	53,272	47,142.41	542,663	603,301
	A00-5.3120.447	Police - Vehicle Lighting	2,490.00	0	24,731.57	542,663	603,301
	A00-5.3120.448	Police - Uniforms & Cleani	93.50	47,974	45,967.42	542,663	603,301
	A00-5.3120.464	Police - Protection Gear	435.00	28,371	31,933.05	542,663	603,301
	A00-5.5132.423	Garage - Fire Monitoring	45.90	574	432.22	68,264	57,984
	A00-5.5132.425	Garage - Garage/Bldg Maint	327.62	16,000	14,892.75	68,264	57,984
	A00-5.5132.426	Garage - Dumpster	481.89	5,957	4,993.22	68,264	57,984
	A00-5.7310.405	Recreation - Registration	3,200.00	3,350	150.00	82,750	78,931
	B00-5.3620.401	P & D - Office Supplies	7.77	2,000	2,032.91	109,070	100,371
	B00-5.8010.408	Zoning - Advertising	29.62	600	526.15	5,450	5,121
	B00-5.8020.408	Planning - Advertising	38.70	600	623.69	21,400	17,851
	DA0-5.5130.411	Machinery - Vehicle Expens	2,309.66	124,589	114,168.44	191,015	184,621
	DA0-5.5130.447	Machinery - Shop Supply/St	655.94	10,200	10,414.34	191,015	184,621
	DA0-5.5130.473	Machinery - Shop Tools	87.55	7,000	7,220.26	191,015	184,621
	DA0-5.5142.410	Snow Removal - Gasoline/Di	13,851.75	50,625	66,604.50	711,498	767,421
	DA0-5.5142.430	Snow Removal - Cleaning Su	398.40	5,500	5,016.15	711,498	767,421
	DA0-5.5142.441	Snow Removal - Safety/Trai	819.00	6,000	5,418.25	711,498	767,421
	DA0-5.5142.447	Snow Removal - Shop Suppli	821.67	37,891	38,151.50	711,498	767,421
	DA0-5.5142.448	Snow Removal - Uniforms/Ci	71.86	13,656	12,424.84	711,498	767,421
	DA0-5.5142.470	Snow Removal - Materials	46,103.56	458,549	499,317.99	711,498	767,421
	DA0-5.5142.471	Snow Removal - Repairs	1,132.40	35,375	32,309.14	711,498	767,421
** 2021-2022 YEAR TOTALS **			91,008.51				

ZONE CHANGE APPLICATION

for

TAX PARCELS 062.-04-6.1 & 062.-04-6.2

**PROPOSED SELF STORAGE FACILITY
7030 MANLIUS CENTER ROAD
TOWN OF MANLIUS**

Prepared for

G&T PROPERTIES, LLC.
P.O. Box 411
FAYETTEVILLE, NY 13066

Prepared by



110 FAYETTE STREET
MANLIUS, NEW YORK 13104

Telephone: (315) 682-5580
Fax: (315) 682-5544

DECEMBER 28, 2020

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

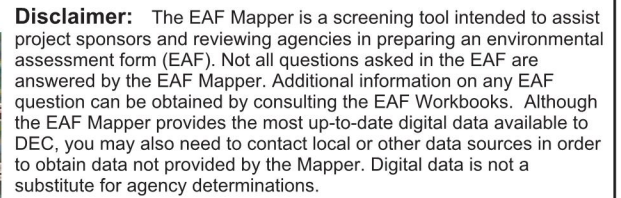
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Self Storage Facility - Manlius Center Road			
Project Location (describe, and attach a location map): 7030 Manlius Center Road, Manlius, NY 13057			
Brief Description of Proposed Action: Proposed zone change of subject parcel from Commercial A (CA district) to Commercial B (CB district). Zone change to allow proposed construction of self storage facility at a vacant commercial property on Manlius Center Road. Project will include indoor climate controlled storage building and office building, drive-up storage buildings, asphalt parking and drive aisles, and associated stormwater mitigation facilities.			
Name of Applicant or Sponsor: G&T Properties LLC (Greg Rinaldi)		Telephone: E-Mail:	
Address: 5990 Drott Drive			
City/PO: East Syracuse		State: NY	Zip Code: 13057
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO ☒	YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: NYSDEC SPDES Stormwater Permit, Town Board and Planning Board Approval		NO ☐	YES ☒
3. a. Total acreage of the site of the proposed action? _____ 2.56 acres b. Total acreage to be physically disturbed? _____ 2.5 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 2.56 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban) ☒ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☐	☒	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Northern Long-eared Bat, In...	NO	YES
	☐	☒
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	☐	☒
a. Will storm water discharges flow to adjacent properties?	☐	☒
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☒	☐
Stormwater to be collected and mitigated in an on-site detention basin with an outlet control structure.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>MATTHEW R. NAPIERALA, P.E.</u> Date: <u>23 DECEMBER 2021</u> Signature: <u>Matthew R. Napierala</u> Title: <u>ENGINEER FOR OWNER.</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Northern Long-eared Bat, Indiana Bat
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

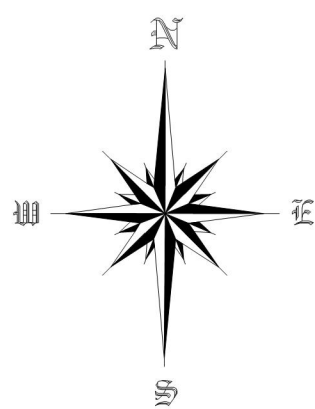
LEGAL DESCRIPTION

Tax ID Number 062.-04-06.1 & 062.-04-06.2

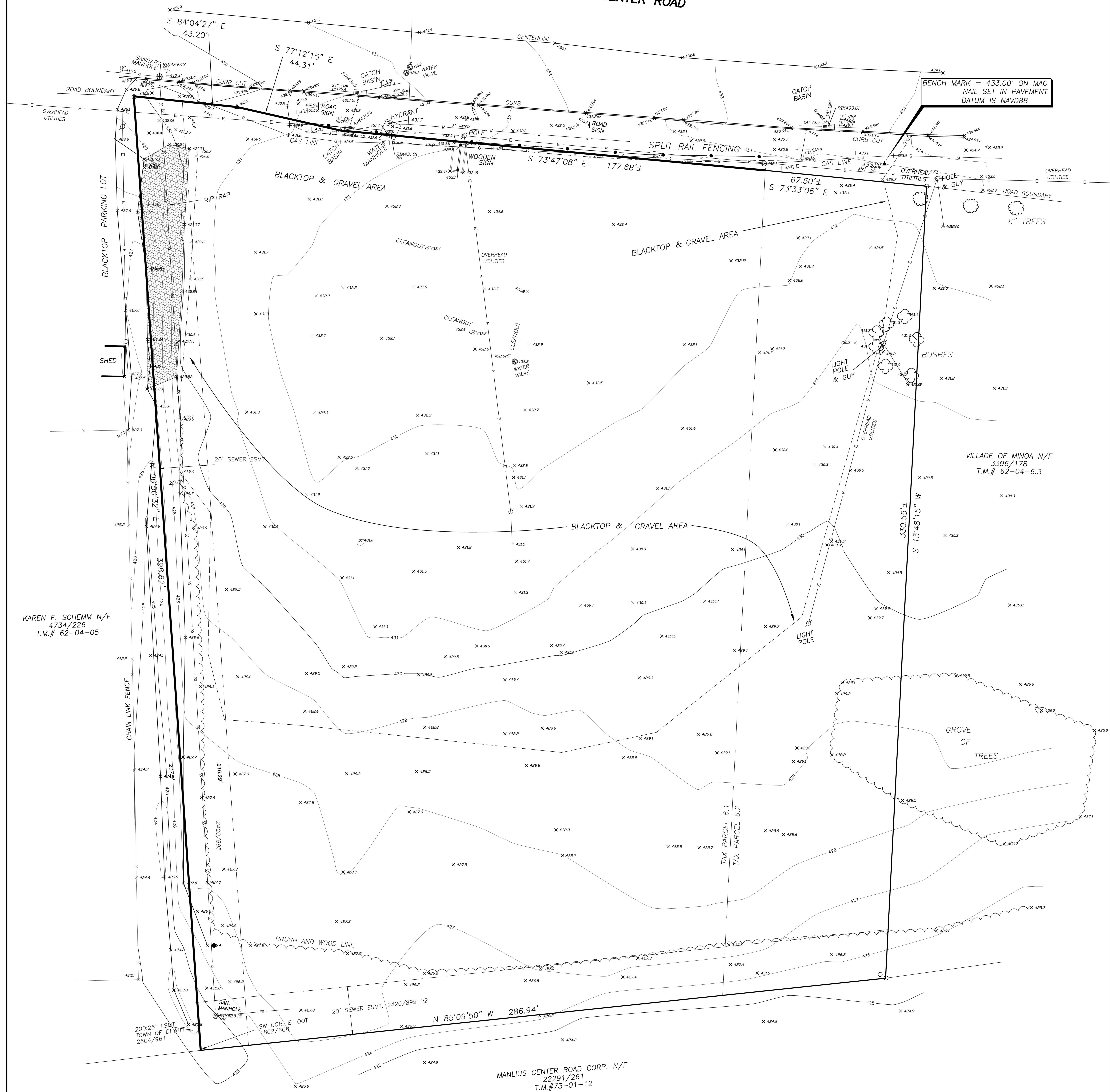
The starting point is at a concrete monument located approximately 20 feet west of the hydrant within the southern part of the Route 290 R.O.W. Then turn:

- S73°47'08"E with a distance of 177.68 feet
Thence along a line
- S73°33'06"E a distance of 67.50 feet.
Thence turning south along a line along the property of the Village of Minoa
- S13°48'15"W a distance of 330.55 feet.
Thence turning west along a line along the property of Manlius Center Road Corp.
- N85°09'50"W a distance of 286.94 feet.
Thence turning north along a line along the property of Karen E. Schemm
- N06°50'32"E a distance of 398.62 feet.
Thence turning east along a line along the Route 290 R.O.W.
- S84°04'27"E a distance of 43.20 feet.
Thence along a line
- S77°12'15"E a distance of 44.31 feet.

To the point of beginning said parcel encompasses 2.557± acres (111,381 square feet).



N.Y.S. ROUTE 290 - MANLIUS CENTER ROAD



KAREN E. SCHEMM N/F
4734/226
T.M.# 62-04-05

AREA = 2.557± Acres
111381 Sq. Feet

REFERENCE DEED

WARRANTY DEED CONVEYED TO
G & T PROPERTIES, INC.
BK. 5016 PG. 78
(DEED CONTAINED MAP PREPARED BY
COTTRELL LAND SURVEYORS, P.C.)



UTILITY NOTE

This surveyor has not physically located the underground utilities. Underground utility locations may have been determined from visible evidence, available public maps and/or maps prepared by others and markings established by independent locators or utility companies. There is no guarantee as to the accuracy or completeness of such data, nor is there any guarantee that all utilities are shown. Actual locations of underground utilities in the vicinity of any proposed construction shall be verified prior to commencing excavation, demolition or construction.

I hereby certify that this map was prepared from an actual field topographic survey of the property presented hereon, that all work was performed by me or under my supervision, and that the results of said survey are hereby represented to the best of my belief, professional knowledge and ability.

Forrest L. SeGuin
Forrest L. SeGuin, PLS - N.Y.S. LIC. NO. 050384



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TOPOGRAPHIC SURVEY

LANDS OF G & T PROPERTIES, INC.
PART OF LOT 44 ~ TOWN OF MANLIUS
ONONDAGA COUNTY, NEW YORK

SURVEY AND MAP PREPARED BY:
SeGUIN LAND SURVEYING, P.L.L.C.
FORREST L. SEGUIN, L.S.
6197 DYKE ROAD, CHITTENANGO, N.Y. 13037
PHONE: (315) 263-1642 FAX: (315) 687-0002

SCALE: 1" = 20'
DATE: 9/20/2020
PROJECT NO. 14017A
TAX MAP NO. 62-04-6.1, 6.2
DWG. MAN 062.0-04-6.1, 6.2

December 28, 2020

Town Board – Town of Manlius
301 Brooklea Drive
Fayetteville, NY 13066

**Re: Zone Change Request – Proposed Self Storage Facility
7030 Manlius Center Road, Manlius, NY 13057**

Dear Mr. Supervisor,

Enclosed for your review are application materials for a proposed zone change of two parcels, tax no. 062.-04-06.1 & 062.-04-06.2, from their existing zoning district of Commercial A (CA) to Commercial B (CB). It is our firm belief that this request for a zone change will be of minor consequence to the surrounding commercial corridor and neighborhood. The subject parcels are currently enclosed by commercially zone parcels; the properties to the immediate east and west of the project site are both in the CB zoning district, while the properties on the opposite side of Manlius Center Road are within the Neighborhood Shopping (NS) and CA zoning district. The approval of this request will allow for the development and enhancement of a vacant site to match the surrounding commercial properties and storefronts.

This zone change being requested is to allow for the future construction of a self-storage facility at the two vacant commercial properties on Manlius Center Road. A similar self-storage facility is located within the same commercial corridor approximately a quarter mile to the west in the Town of DeWitt. The proposed construction will include an indoor climate-controlled storage building with an attached office space, several drive-up storage buildings, and associated asphalt parking and drive-aisles. Also included in the proposed project is site landscaping, public utility connections, and stormwater runoff mitigation facilities located in the rear of the site.

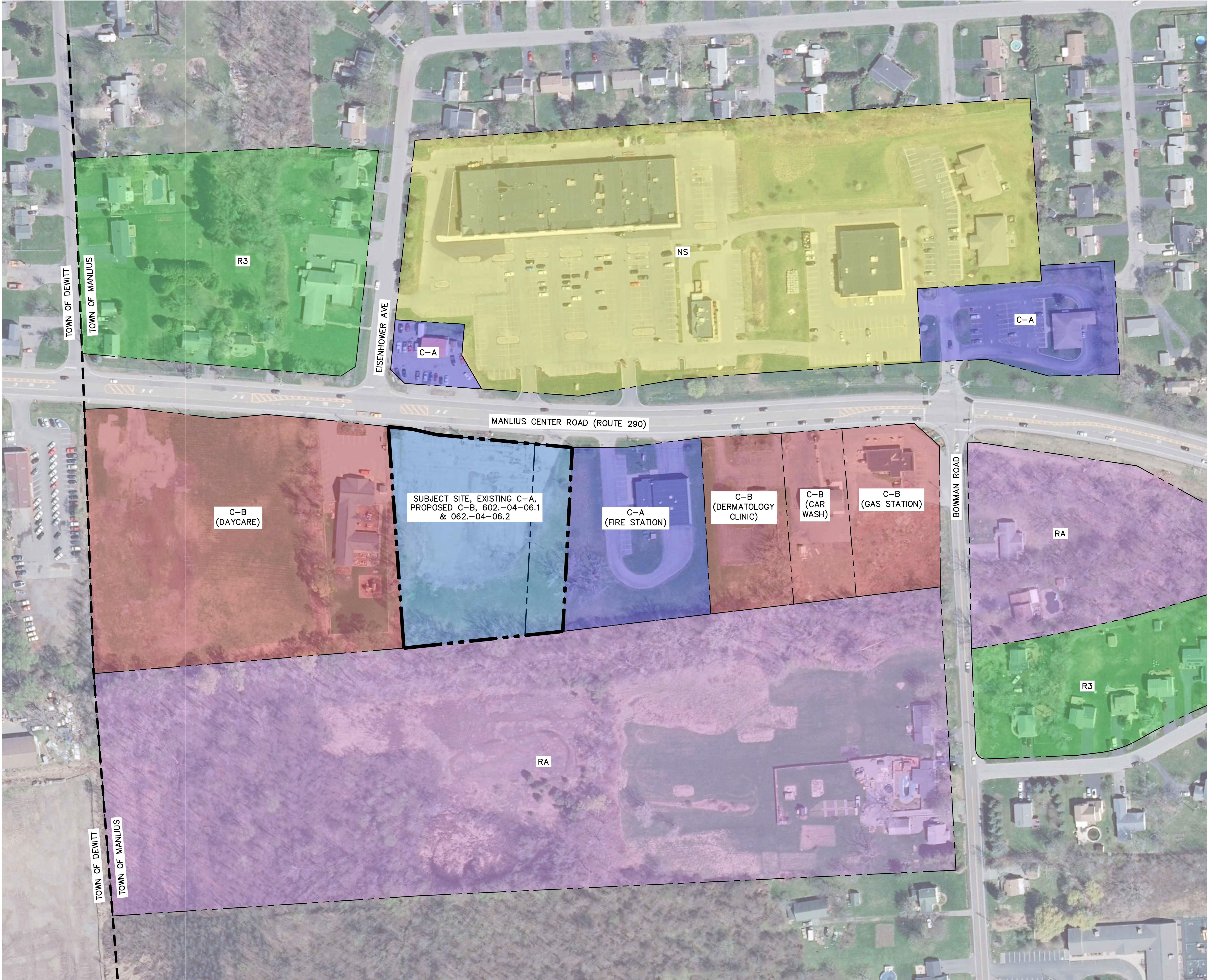
We look forward to working with the Town of Manlius on this project. If you have any questions or if you need any other additional information, please contact us.

Respectfully submitted,

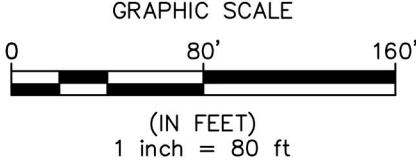
NAPIERALA CONSULTING
Professional Engineer, P.C.

Matthew R. Napierala

Matthew R. Napierala, P.E.
Managing Engineer / President



- ZONING DISTRICT LEGEND**
- PROPERTY LINE
 - EXISTING COMMERCIAL A (C-A), PROPOSED COMMERCIAL B (C-B)
 - COMMERCIAL A (C-A)
 - COMMERCIAL B (C-B)
 - NEIGHBORHOOD SHOPPING (NS)
 - RESTRICTED AGRICULTURE (RA)
 - RESIDENTIAL 3 (R-3)



PRELIMINARY FOR PLANNING PURPOSES ONLY

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SK-6

20-1913

28 DEC 2020

1" = 80'

PROJECT NO.

DATE

SCALE

PREPARED BY:

DATE

SCALE

PROJECT TITLE:

MANLIUS CENTER ROAD SELF STORAGE

TOWN OF MANLIUS

ONONDAGA COUNTY, NY

PREPARED FOR:

GREG RINALDI

5990 DROTT DRIVE

EAST SYRACUSE, NY 13057

SHEET

NO.

REVISION/ISSUE

DATE

**TOWN OF MANLIUS
ZONE CHANGE APPLICATION**

1. Name of Person applying for Zone Change Greg Rinaldi
Address of person applying 5990 Drott Drive, East Syracuse, NY 13057
Cell Number _____ Phone Number _____
2. Name: (owner of record) of land where Zone Change would occur G&T Properties LLC.
Address (owner of record) P.O. Box 411, Fayetteville, NY 13066
Cell Number (owner of record) _____ Phone Number _____
3. Tax Map Number of property where Zone Change would occur 062.-04-06.1 & 062.-04-06.2
4. Is this property located in a flood hazard area? No
If so, what flood area is the property in it?

5. Present zoning classification of property Commercial A (CA)
6. Desired zoning classification Commercial B (CB)
Reason for Change of Zone (use additional sheets if necessary) _____
Proposed construction of a self storage facility.

7. What is lot size? 2.56 acres
8. If the Zone Change is granted, will the use of the property conform to the District regulations as stated in Chapter 155 Article III of the Town of Manlius Municipal Code? Yes
9. Is the property within the protectively zoned area of a housing project authorized under the public housing law? No
10. Is the property within five hundred (500) feet of the boundaries of any city, village, town, county, state park or parkway? No
If yes, please specify _____
11. Is the property within five hundred (500) feet from the boundary of any existing or proposed County or State park or other recreation area, or from the right-of-way of any existing or proposed county or state parkway, thruway, expressway, road or highway, or from the existing or proposed right-of-way of any stream or drainage channel owned by the county or for which the county has established channel lines, or from the existing or proposed boundary of any county or state owned land on which a public building or institution is situated? No

If yes, please specify _____

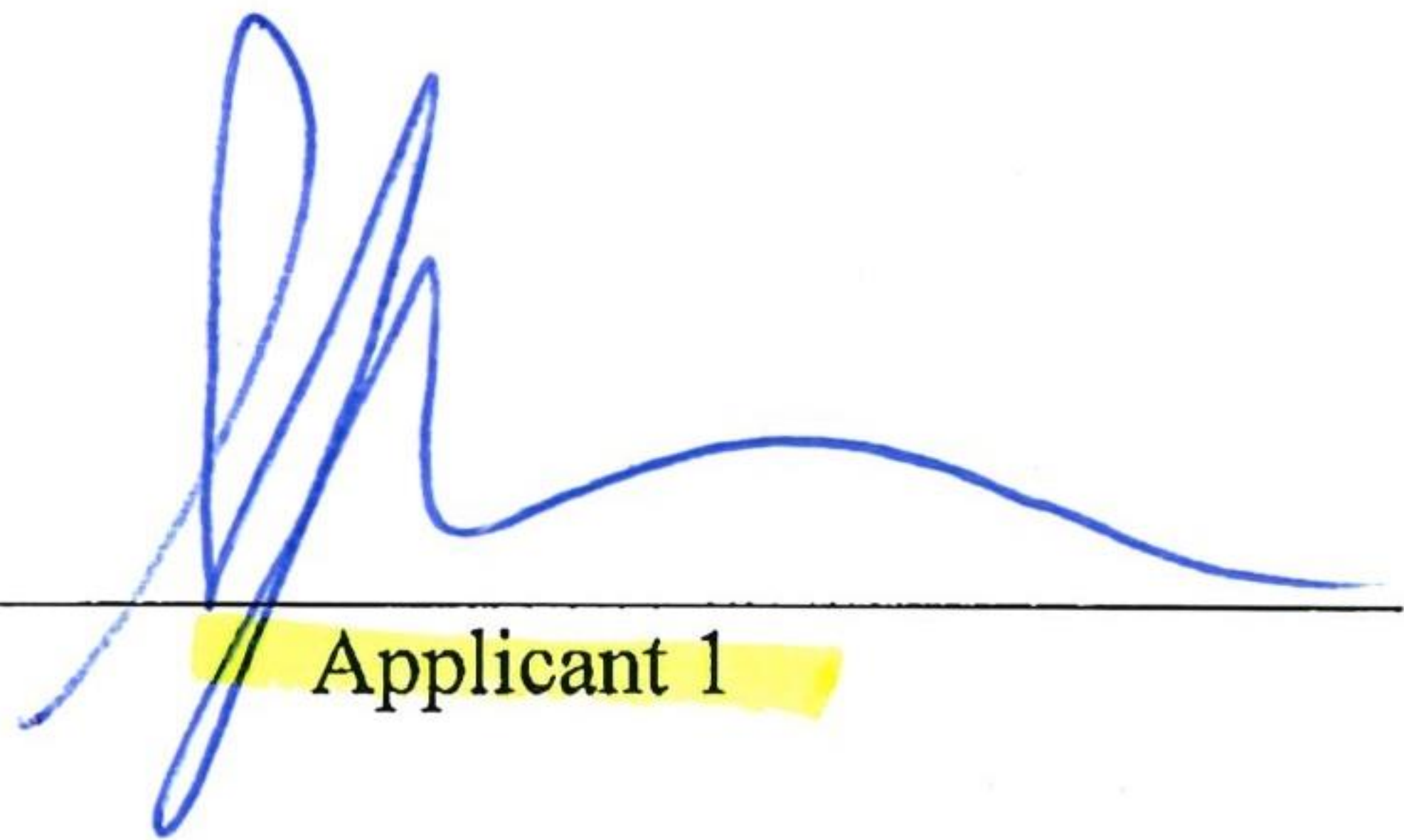
12. List the uses of all abutting property West - daycare center, East - Minoa fire station,
South - forested area & wetlands, North - car dealer and dollar store

13. The following must be included with your 12 application packets unless otherwise specified and/or specifically waived by the Town Board:

- An environmental assessment form which can be obtained from the Town Clerk, or an environmental impact statement.
- Copy of a survey of the premises certified by a New York State licensed surveyor.
- Legal description of the premises.
- This application must be signed by both the owner of record of the property and the applicant.

The failure to answer any question on this application, the failure to submit any item as specified or the failure to execute this application will result in a delay in the processing of the application.

Date 12/18/20



Applicant 1

Date _____

Applicant 2

Date _____

Applicant

TOWN OF MANLIUS

DISCLOSURE AFFIDAVIT

This affidavit is a part of and must be completed and attached to every application, petition, request submitted for a *site plan, variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit.*

STATE OF NEW YORK)
) SS:
COUNTY OF ONONDAGA)

I. _____, being duly sworn, deposes and says that (s) he is:

(applicant, petitioner, corporation officer, property owner, *etc.*)

II. That deponent has read and is familiar with the provisions of the General Municipal Law, Section 809 which states:

- A. Every application, petition or request submitted for a site plan, variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions or any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.
- B. For the purpose of this action an officer or employee shall be deemed to have an interest in the applicant when (s)he, his/her spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:
 - 1) is the applicant, or
 - 2) is an officer, director, partner or employee of the applicant, or
 - 3) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
 - 4) is a party to an agreement with such an applicant, express or implied, whereby (s) he may receive any payment or other benefit, whether or not for services rendered, or contingent upon the favorable approval of such application, petition or request.
- C. Ownership of less than five percent (5%) of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.
- D. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

III. That no Town of Manlius officer, employee or a relative of either, as defined in Section 809 General Municipal Law has any interest in this application.

-OR-

If a Town of Manlius officer, employee or relative of either as defined in Section 809 General Municipal law has any interest in this application, the full particulars are provided on an attached sheet.

Date: DECEMBER 18, 2020.

Date: _____, 20____.

Gregory A. Rinaldi
(Print Name)

(Print Name)

[Signature]
(Signature)

(Signature)

G+T Properties, LLC
(Entity Name)

(Entity Name)

President
By (Officer) _____ (Title)

By (Officer) _____ (Title)

P.O. Box 411 Fayetteville, NY
(Mailing Address of Applicant)

(Mailing Address of Applicant)

(315) 415-9409
(Telephone Number)

(Telephone Number)

ACKNOWLEDGEMENTS

STATE OF NEW YORK)
) SS:
COUNTY OF ONONDAGA)

On this 18 day of December in the year 20 20, before me, the undersigned, a notary public in and for said state, personally appeared Gregory A. Rinaldi,
_____, and _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within Petition and acknowledged to me the he/she/they executed the same in his/her/their capacity, and that by his/her/their signature(s) on the Petition, the individual or the persons upon behalf of which the individual acted executed the instrument.

[Signature]
Notary Public

SARAH KAY COLEMAN
Notary Public, State of New York
Registration #01CO6316692
Qualified in Onondaga County
Commission Expires December 15, 2022



J.Ryan McMahon II
County Executive

Onondaga County Planning Board

RESOLUTION OF THE ONONDAGA COUNTY PLANNING BOARD

Meeting Date: February 17, 2021

OCPB Case # Z-21-43

- WHEREAS, the Onondaga County Planning Board, pursuant to General Municipal Law, Section 239 l, m and n, has considered and reviewed the referral for a ZONE CHANGE from the Town of Manlius Town Board at the request of G&T Properties for the property located at 7030 Manlius Center Road; and
- WHEREAS, General Municipal Law Section 239-m allows the County Planning Board to review the adoption or amendment of a zoning ordinance or local law and the site is located within 500 feet of Manlius Center Road (Route 290), a state highway; and
- WHEREAS, the applicant is proposing a zone change on two parcels totaling 2.56 acres from Commercial A (C-A) to Commercial B (C-B) to allow for future construction of a self-storage facility; and
- WHEREAS, in 2014, the Board recommended modification of a site plan referral (Z-14-200) to revise the site plan for an RV sales facility on the subject site, which is no longer in operation; the Board previously recommended modification of related site plan (Z-14-57) and area variance (Z-14-58) referrals and offered no position with comment for a zone change referral (Z-14-56) as part of the project; and
- WHEREAS, the site is located along Manlius Center Road between a fire station and child care facility and across the road from Fremont Plaza, a strip shopping mall; the Town Zoning Map shows these neighboring uses are zoned C-A, C-B, and Neighborhood Shopping (NS); the site abuts vacant, undeveloped land to the south that is zoned Restricted Agriculture (RA); and
- WHEREAS, the submitted survey map dated September 20, 2020 shows the vacant site is largely covered by a blacktop and gravel area and has two remnant driveways onto Manlius Center Road; and
- WHEREAS, per the Town Zoning Code, the proposed Commercial B (C-B) zoning district permits all structures and uses permitted in the existing Commercial A (C-A) district, as well as warehouses, outdoor self-storage facilities, commercial storage or warehouse, lumberyards, and auto uses subject to site plan approval, and farm and construction equipment distributors subject to special permit approval; and
- WHEREAS, the submitted Layout Plan shows the proposed self-storage facility will include (3) 8,000 sf buildings, (1) 9,200 sf building, (1) 2,200 sf building, and (1) 4,000 sf building, separated by 26' wide drive aisles and enclosed by an 8' tall security fence; Building A (9,200 sf) will be climate-controlled and include an 800 sf office; the building is shown to be oriented parallel to Manlius Center Road and set back 30' from the front lot line; there will be an adjacent parking area (5 spaces), full access driveway, and motorized sliding gate for access to the remaining buildings; and

- WHEREAS, per the Layout Plan, the proposed driveway is in roughly the same location as the existing, westernmost driveway; the easternmost driveway will be removed;
ADVISORY NOTE: per the NYS Department of Transportation, all existing or proposed driveways on Manlius Center Road must meet Department requirements; a work permit will be required for any work in the state right-of-way, including work to remove the existing driveway; and
- WHEREAS, proposed landscaping is shown along both side lot lines and along Manlius Center Road; a monument sign and landscape bed are shown adjacent to the proposed driveway; and
- WHEREAS, per the submitted Environmental Assessment Form (EAF), 2.5 acres of the site will be disturbed by the storage facility; stormwater will be collected and mitigated in an on-site detention basin with outlet control structure, shown at the southwest corner of the site;
ADVISORY NOTES: per the NYS Department of Transportation, additional stormwater runoff into the state's drainage system is prohibited; any project that cumulatively disturbs one acre or more of land must be covered under the NYS SPDES Permit, and the municipality is advised to ensure that the applicant has obtained the appropriate permits from the NYS Department of Environmental Conservation prior to municipal approval; and
- WHEREAS, the site has access to public drinking water and sewers and is located in the Meadowbrook-Limestone Wastewater Treatment Plant service area; per the EAF, the proposed project will connect to the drinking water and wastewater utilities;
ADVISORY NOTES: the Onondaga County Department of Water Environment Protection asks that the applicant contact the Department's Flow Control office early in the planning process to determine sewer availability and capacity; prior to the next phase of development, the applicant is advised to contact OCWA's Engineering Department to determine the activities and structures permitted within OCWA easements/right-of-ways, water availability and service options, obtain hydrant flow test information, evaluate backflow prevention requirements, and/or request that the Authority conduct hydrant flow testing to assess fire flow availability; and
- WHEREAS, per the Onondaga County Department of Water Environment Protection, the submitted project is located in an area designated as flow constrained or impacted by excessive wet weather flow or is tributary to a Combined Sewer Overflow (CSO);
ADVISORY NOTE: per the Onondaga County Department of Water Environment Protection, the applicant is advised to develop a 2 gallon to 1 gallon sanitary flow offset plan/project in coordination with the municipal engineer as part of the next phase of development; and
- WHEREAS, the site may contain an animal or plant species, or associated habitat, listed by the state or federal government as threatened or endangered (per EAF Mapper);
ADVISORY NOTE: per the NYS Department of Environmental Conservation (DEC), if the site contains a threatened or endangered species and/or associated habitat, and the project requires review under the State Environmental Quality Review Act (SEQRA), a request for a project screening should be submitted to the New York Natural Heritage Program or to the regional DEC Division of Environmental

Permits office; and

NOW THEREFORE BE IT RESOLVED, that the Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications. The Board has offered the following COMMENT(S) in regards to the above referral:

Should the municipality approve the proposed zone change, the Board offers the following comments for the next phase of development:

1. The applicant is advised to coordinate Manlius Center Road access plans with the New York State Department of Transportation early in the planning process. To further meet Department requirements, the applicant will be required to submit a copy of the Stormwater Pollution Prevention Plan (SWPPP) and a lighting plan to the Department for review. The municipality must ensure any mitigation as may be determined by the Department is reflected on the project plans prior to, or as a condition of, municipal approval of the site plan.
2. The Board commends the site design for its siting of buildings and significant landscape screening. To further maximize the front yard aesthetic, the applicant is encouraged to consider architectural detailing, such as windows or a mix of exterior materials, for facades that are visible from Manlius Center Road.



Daniel Cupoli, Chairman
Onondaga County Planning Board
Transmittal Date: 02-17-2021

GML 239 Report of Final Action

NYS GML § 239-m.6. and n.6. require the referring body to file a report of the final action it has taken on a referred matter with the county planning agency within 30 days after the final action (separate from the minutes taken at the meeting). A referring body which acts contrary to a County Planning Board recommendation of MODIFICATION or DISAPPROVAL of a referred matter shall also set forth the reasons for the contrary action in such report.

This section to be completed by the Syracuse-Onondaga County Planning Agency

To: Onondaga County Planning Board **From:** Town of Manlius Town Board

Fax: 435-2439 **Phone:** 435-2611

Re: Applicant: G&T Properties
Address: at 7030 Manlius Center Road
Referral Type: ZONE CHANGE
OCPB Date: February 17, 2021
OCPB Action: No Position With Comment
OCPB Case #: Z-21-43

The local board took the following action regarding the above referenced referral (Check one box. If checking Other, please specify the final action taken. Use the space at the bottom of the report to identify reasons if acting contrary to the OCPB recommendation.):

- ☐ Approved the proposed action with regard to the OCPB's No Position or No Position with Comment.
- ☐ Approved the proposed action as modified by the OCPB.
- ☐ Approved the proposed action contrary to some of the modifications recommended by the OCPB.*
- ☐ Approved the proposed action contrary to all of the modifications recommended by the OCPB.*
- ☐ Approved the proposed action contrary to the disapproval recommended by the OCPB.*

- ☐ Disapproved the proposed action with regard to the OCPB's no position or no position with comment.
- ☐ Disapproved the proposed action with regard to the recommended modification(s) by the OCPB.
- ☐ Disapproved the proposed action as recommended and for reasons set forth by the OCPB.
- ☐ Disapproved the proposed action as recommended but for reasons other than those set forth by the OCPB. (Please list reasons below for local disapproval.)

- ☐ Other _____

Local Board Date: _____

*List reasons for acting contrary to the OCPB recommendation and include a copy of the local board resolution. Attach additional reasons on a separate sheet of paper as necessary.

**AGREEMENT
BETWEEN
TOWN OF MANLIUS
AND
BARTON & LOGUIDICE, D.P.C.
FOR
PROFESSIONAL SERVICES**

710.1511
MBG/JES

THIS IS AN AGREEMENT effective as of _____ (“Effective Date”) between the Town of Manlius (“Owner”) and Barton & Loguidice, D.P.C. (“Engineer”).

Engineer agrees to provide those services specifically described in Exhibit A to Owner for **Town of Manlius Comprehensive Plan** (“Project”).

Owner and Engineer further agree as follows:

1.01 Basic Agreement

- A. Engineer shall provide, or cause to be provided, the services set forth in Exhibit A of this Agreement, and Owner shall pay Engineer for such Services as set forth in Paragraph 2.01.

2.01 Payment for Services

- A. Payment (Lump Sum Basis). Owner shall pay the Engineer a Lump Sum amount of \$50,000. Unless specifically indicated otherwise in this Agreement, Engineer’s charges for subcontracted services shall be mutually agreed to and invoiced at cost plus ten percent and shall be in addition to the lump sum payment amount noted herein.
- B. Preparation of Invoices. Engineer will prepare an invoice in accordance with Engineer’s standard invoicing practices and submit the invoice to Owner. Invoicing will be monthly, and billed in proportion to the percent of Scope of Service Tasks completed as of the date of invoicing.
- C. Payment of Invoices. Invoices are due and payable within 30 days of the date of the invoice. If Owner fails to make a timely payment due Engineer, then Engineer may, without liability, after giving seven days written notice to Owner, suspend services under this Agreement until Engineer has been paid in full all amounts due for services, expenses, and other related charges.

3.01 Additional Services

- A. If mutually agreed by Owner and Engineer, or if required because of changes in the Project, Engineer shall furnish services in addition to those set forth above.
- B. Owner shall pay Engineer for such additional services as follows: (1) as may be mutually agreed to in writing, or (2) for additional services of Engineer’s employees engaged directly on the Project an amount equal to the cumulative hours charged to the Project by each class of Engineer’s employees times hourly billing rates for each applicable billing class; plus reimbursable expenses and charges for Engineer’s subconsultants, if any.

4.01 Termination

- A. The obligation to provide further services under this Agreement may be terminated:
 - 1. For cause,
 - a. By either party upon 30 days written notice in the event of substantial failure by the other party to perform in accordance with the Agreement’s terms through no fault of the terminating party.

- b. By Engineer:
 - 1) upon seven days written notice if Engineer believes that Engineer is being requested by Owner to furnish or perform services contrary to Engineer's responsibilities as a licensed professional; or
 - 2) upon seven days written notice if the Engineer's services for the Project are delayed or suspended for more than 90 days for reasons beyond Engineer's control.
 - 3) in the event Engineer terminates this agreement for either of the above-specified reasons, Engineer shall have no liability to Owner on account of such termination.
 - c. Notwithstanding the foregoing, this Agreement will not terminate as a result of a substantial failure under Paragraph 4.01.A.1.a if the party receiving such notice begins, within seven days of receipt of such notice, to correct its failure and proceeds diligently to cure such failure within no more than 30 days of receipt of notice; provided, however, that if and to the extent such substantial failure cannot be reasonably cured within such 30 day period, and if such party has diligently attempted to cure the same and thereafter continues diligently to cure the same, then the cure period provided for herein shall extend up to, but in no case more than, 60 days after the date of receipt of the notice.
2. For convenience, by Owner effective seven days after the receipt of written notice by Engineer.
- a. The terminating party under Paragraphs 4.01.A.1 or 4.01.A.2 may set the effective date of termination at a time up to 30 days later than otherwise provided to allow Engineer to demobilize personnel and equipment from the Project site, to complete tasks whose value would otherwise be lost, to prepare notes as to the status of completed and uncompleted tasks, and to assemble Project materials in orderly files.
 - b. In the event of any termination under Paragraph 4.01.A.1, Engineer will be entitled to invoice Owner and to receive full payment for all services performed or furnished in accordance with this Agreement and all reimbursable expenses incurred through the effective date of termination. Upon making such payment, Owner shall have the limited right to the use of Documents, at Owner's sole risk.
 - c. In the event of termination by Owner for convenience or by Engineer for cause, Engineer shall be entitled, in addition to payment for those items identified in Paragraph 2.01, to payment of a reasonable amount for services and expenses directly attributable to termination, both before and after the effective date of termination, including, but not limited to, reassignment of personnel, costs of terminating contracts with Engineer's Consultants, and other related close-out costs, using methods and rates for Additional Services as set forth in Paragraph 3.01.

5.01 Controlling Law

- A. This Agreement is to be governed by the law of the state of New York.

6.01 Successors, Assigns, and Beneficiaries

- A. Owner and Engineer each is hereby bound and the partners, successors, executors, administrators, and legal representatives of Owner and Engineer (and to the extent permitted by Paragraph 6.01.B the assigns of Owner and Engineer) are hereby bound to the other party to this Agreement and to the partners, successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.
- B. Neither Owner nor Engineer may assign, sublet, or transfer any rights under or interest (including, but without limitation, moneys that are due or may become due) in this Agreement without the written consent of the other, except to the extent that any assignment, subletting, or transfer is mandated or restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement. This provision shall not preclude Engineer from retaining subconsultants as it deems reasonably necessary for the completion of the services rendered hereunder.

7.01 General Considerations

- A. The standard of care for all professional engineering and related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with Engineer's services. Engineer and its subconsultants may use or rely upon the design services of others, including, but not limited to, contractors, manufacturers, and suppliers.
- B. Engineer shall not at any time supervise, direct, or have control over any contractor's work, nor shall Engineer have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, for safety precautions and programs incident to a contractor's work progress, nor for any failure of any contractor to comply with laws and regulations applicable to contractor's work.
- C. Engineer neither guarantees the performance of any contractor nor assumes responsibility for any contractor's failure to furnish and perform its work in accordance with the contract between Owner and such contractor.
- D. Engineer shall not be responsible for the acts or omissions of any contractor, subcontractor, or supplier, or of any contractor's agents or employees or any other persons (except Engineer's own employees) at the Project site or otherwise furnishing or performing any of construction work; or for any decision made on interpretations or clarifications of the construction contract given by Owner without consultation and advice of Engineer.
- E. The Contract Documents for construction contracts prepared as a service under this Agreement are to be the Barton & Loguidice, D.P.C. template Contract Documents, including but not limited to General Conditions, General Requirements, Information for Bidders and bidding documents, as may be amended by the Owner.
- F. All design documents prepared or furnished by Engineer are instruments of service, and Engineer retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed. Engineer grants Owner a license to use the instruments of service for Project construction as is the intended purpose of the documents, and for the purpose of maintenance and repair of the Project.
- G. To the fullest extent permitted by law, Owner and Engineer (1) waive against each other, and the other's employees, officers, directors, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to the Project, and (2) agree that Engineer's total liability to Owner under this Agreement shall be limited to the total amount of compensation received by Engineer pursuant to this Agreement.
- H. The parties acknowledge that Engineer's scope of services does not include any services related to a Hazardous Environmental Condition (the presence of asbestos, PCBs, petroleum, hazardous substances or waste, and radioactive materials). If Engineer or any other party encounters a Hazardous Environmental Condition, Engineer may, at its option and without liability for consequential or any other damages, suspend performance of services on the portion of the Project affected thereby until Owner: (i) retains appropriate specialist consultants or contractors to identify and, as appropriate, abate, remediate, or remove the Hazardous Environmental Condition; and (ii) warrants that the Site is in full compliance with applicable Laws and Regulations.
- I. The services to be provided by Barton & Loguidice under this Agreement DO NOT INCLUDE advice or recommendations with respect to the issuance, structure, timing, terms or any other aspect of municipal securities, municipal derivatives, guaranteed investment contracts or investment strategies. Any opinions, advice, information or recommendations provided by Barton & Loguidice are understood by the parties to this Agreement to be strictly *engineering* opinions, advice, information or recommendations. Barton & Loguidice is not a "municipal advisor" as defined by 15 U.S.C. 78o-4 or the related rules of the Securities and Exchange Commission. The other parties to this Agreement should determine independently whether they require the services of a municipal advisor.

8.01 Dispute Resolution

- A. Owner and Engineer agree to negotiate all disputes between them in good faith for a period of 30 days from the date of notice by either party of the existence of the dispute. If a dispute involves matters other than a claim by Engineer for payment of fees and the parties fail to resolve the dispute through negotiation then Owner and Engineer agree that they shall first submit any and all such unsettled claims, counterclaims, disputes, and other matters in question between them arising out of or relating to this Agreement or the breach thereof ("Disputes") to mediation by a mutually acceptable mediator. Owner and Engineer agree to participate in the mediation process in good faith and to share the cost of the mediation equally. The process shall be conducted on a confidential basis, and shall be completed within 120 days. If such mediation is unsuccessful in resolving a Dispute, then (1) the parties may mutually agree to a dispute resolution of their choice, or (2) either party may seek to have the Dispute resolved by a court of competent jurisdiction.
- B. If a dispute involves a claim by Engineer for payment of fees and the parties fail to resolve the dispute through negotiation then Engineer may seek to have its claim for fees resolved by a court of competent jurisdiction without first participating in mediation.

9.01 Accrual of Claims

All causes of action between the parties to this Agreement including those pertaining to acts, failures to act, failures to perform in accordance with the obligations of the Agreement or failures to perform in accordance with the standard of care shall be deemed to have accrued and the applicable statutes of limitations shall commence to run not later than either the date of Substantial Completion for acts, failures to act or failures to perform occurring prior to Substantial Completion, or the date of issuance of the Notice of Acceptability of Work for acts, failures to act or failures to perform occurring after Substantial Completion.

10.01 Indemnification

The Engineer and the Owner mutually agree, to the fullest extent permitted by law, to indemnify and hold each other harmless from any and all damage, liability or cost (including reasonable attorneys' fees and defense costs) to the extent caused by their own negligent acts, errors or omissions and those of anyone for whom they are legally liable, and arising from the project that is the subject of this Agreement. Neither party is obligated to indemnify the other in any manner whatsoever for the other's own negligence.

11.01 Insurance

- A. Engineer shall procure and maintain insurance as set forth in Exhibit B, "Insurance". Engineer shall cause Owner to be listed as an additional insured on applicable general liability insurance policies carried by Engineer.
- B. Owner shall require Contractor to purchase and maintain policies of insurance covering workers' compensation, general liability, property damage, motor vehicle damage and injuries, and other insurance necessary to protect Owner's and Engineer's interests in the Project. Owner shall require Contractor to cause Engineer and its Consultants to be listed as additional insureds with respect to such liability and other insurance purchased and maintained by Contractor for the Project.
- C. Owner and Engineer shall each deliver to the other certificates of insurance evidencing the coverages indicated in Exhibit B. Such certificates shall be furnished prior to commencement of Engineer's services and at renewals thereafter during the life of the Agreement.
- D. All policies of insurance shall contain a provision or endorsement that the coverage afforded will not be canceled or reduced in limits by endorsement, and that renewal will not be refused, until at least 30 days prior written notice has been given to Owner and Engineer and to each other additional insured (if any) to which a certificate of insurance has been issued.

12.01 Total Agreement

This Agreement, including any expressly incorporated Exhibits, constitutes the entire Agreement between Owner and Engineer and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the Effective Date of which is indicated on Page 1.

OWNER: Town of Manlius

By:

Title:

Date
Signed:

Address for giving notices:

Town of Manlius

301 Brooklea Drive

Fayetteville, New York 13066

ENGINEER: Barton & Loguidice, D.P.C.

By:

Title:

Date
Signed:

Address for giving notices:

Barton & Loguidice, Attn: President

443 Electronics Parkway

Liverpool, New York 13088

Exhibit A - Scope of Services Town of Manlius Comprehensive Plan

In order to complete this scope of service, we will rely on a strong working relationship with the designated Steering Committee, Town Staff, and Town Board Members. While the B&L team will be responsible for all tasks and deliverables as noted below, continued participation, guidance, and input from the aforementioned parties will be key to guiding and promoting the process. We anticipate the Committee, Staff, and Town Board member roles to include, at a minimum, participation in meetings, review and comment on project deliverables, as well as ongoing communication with the project team and the community at-large.

Based upon our previous discussions, our proposed Scope of Service includes the following tasks. Please note that the format of project and public meetings (online or in-person) will depend upon the status of the COVID pandemic and any restrictions on group gatherings in place at that time.

TASK 1: PROJECT INITIATION (COMMITTEE MEETING #1)

Our team will work with the Town Board to determine the membership of the Steering Committee, which may consist of up to 18 representatives. Upon finalization of Committee membership, we will schedule the project kick-off meeting. At this meeting we will refine the project and meeting schedule, provide an overview of comprehensive planning as a practice, facilitate a key issue brainstorming exercise, and finalize the Public Engagement Strategy. We will also use this meeting to go over the work completed to date related to the comprehensive plan update and communication platforms currently in use.

The Public Engagement Strategy will outline the various methods of outreach to be included in this plan update effort. Below is a summary of the communication and outreach opportunities which may be provided.

- + **Website & Social Media Management.** We assume the Town will be the primary administrator of any designated project website and/or social media pages. Our team will coordinate with Town Staff to provide content as needed throughout the process, which may include project introduction language, meeting advertisements, links to engagement opportunities and meetings, public input summaries, and draft plan deliverables.
- + **Project Intro Webinar.** B&L will prepare a brief (no more than 10 minutes) pre-recorded video providing an introduction and overview of the Comprehensive Plan Update process and encouraging public participation.
- + **Community Discovery Sessions.** The specifics of each public engagement opportunity as part of these sessions is described in Task 2.
- + **Open House & Public Hearings.** The specifics of the Open House, Committee Public Hearing, and Town Board Public Hearing are described in Tasks 8 and 10.

Task 1 Deliverables:

*Final Public Engagement Strategy
Project Intro Webinar (Pre-Recorded)*

TASK 2: COMMUNITY DISCOVERY SESSIONS

While the timing and scheduling of the discovery sessions will be determined by the Committee and/or Town Staff, we suggest some combination of the following standard and/or optional efforts. We anticipate the standard efforts to include:

STANDARD OUTREACH EFFORTS

- + **Public Workshop.** This workshop would be held at the start of the plan update process. It is intended to introduce the project, allow for participation at the earliest stages of the planning effort, and encourage the public to stay involved throughout the process. A typical workshop agenda includes: (1) Overview of Project Process, Timeline and Scope; (2) Summary of Information Gathered to Date; (3) Facilitation of a SWOT exercise; and/or (4) Coordination of discussions, activity stations, or brainstorming sessions by topic areas, such as sustainability, land use, community character and identity, economic development, and transportation.
- + **Focus Groups.** The project team will facilitate up to six (6) focus group discussions with key community representatives, organizations, interest groups, or individuals identified by the Town. We recommend one of the six focus group discussions facilitated by our team include representatives from the Villages of Manlius, Fayetteville, and Minoa. Should the Town wish to engage additional stakeholders outside of these six focus groups, they will be the responsibility of the Town to coordinate. However, our team will provide a facilitation guide, if desired.
- + **Community Survey.** Preparation of a single community-wide survey instrument. The survey may be used at any stage of the planning process. The content, length, and method of distribution of the survey instrument will depend upon its purpose and intended audience. Our team is experienced with a variety of survey types, including traditional written surveys, online surveys, social media surveys, mobile or text based questionnaires, and surveys using geospatial or map-based data.

OPTIONAL OUTREACH EFFORTS

The following optional outreach efforts may be added to this scope of service and/or swapped out with standard efforts at the Town's discretion. We are happy to work with the Town to determine what combination of efforts is most appropriate to suit the needs and budget for this project.

- + **Youth Workshop - (\$2,500).** A workshop with local students to obtain their opinions and perceptions of the community. This information is very insightful and provides an often overlooked perspective on the issues, opportunities, and challenges that should be addressed in the plan. Capturing the vision and ideas of the younger generation helps to ensure that the development plan includes strategies to retain young people and attract young talent to the region.
- + **Senior Workshop - (\$2,500).** Similar to the Youth Workshop, this includes an interactive dialogue with the Town's senior population to gain insight on current issues and opportunities facing Manlius from their perspective.

- + **Meeting(s) in a Box - (\$1,500).** At various stages in the process our team can provide the Steering Committee and community leaders with a facilitation package. The materials in this package would give these individuals resources for hosting their own public engagement sessions (discussion points, graphics, feedback collection tools, etc.), which would guide the facilitators to ensure the input obtained is relevant and informative to this process. A “Meeting in a Box” could be prepared at any point in the process; however, the fee applies to each instance (multiple boxes would be available for each instance). For example, adding a “Meeting in a Box” to the Public Workshop and Open House would total \$3,000.
- + **Tactical Urbanism Event(s) - (\$1,500 to 5,000).** Tactical Urbanism is defined as “*an approach to neighborhood building that uses short-term, low-cost, and scalable interventions and policies to catalyze long term change.*” These types of events can serve to complement long-term planning efforts by testing ideas while also publicizing the comprehensive planning update process. Often tactical urbanism efforts are focused around infrastructure improvements, allowing residents and visitors to experience an idea in real time and provide feedback prior to the community making a formal investment or commitment. The cost of a tactical urbanism event can vary greatly depending on the type of event, volunteer participation, and materials required. Again, the estimated fee is per event.

Task 2 Deliverables:

*Advertising Material
Meeting, Event, or Engagement Tool Material
Public Input Summary*

TASK 3: INVENTORY & ANALYSIS

B&L will gather the information necessary to complete an inventory and analysis of existing community, economic, and environmental conditions, as well as the current context of regional and local planning efforts. The following key topics will be assessed:

- + Existing Plans & Studies
- + Demographics & Trends
- + Environmental Conditions
- + Public Infrastructure
- + Asset Mapping
- + Land Use & Zoning

The findings of this analysis will be summarized in a Draft Community Profile document. It is important to note the Community Profile is intended to be an overview of relevant topics rather than an exhaustive, detailed study of existing conditions. Therefore, the summary will focus on key insights and implications from the information obtained in this Task presented in a graphic format with narratives, tables, graphics, and supporting maps.

Task 3 Deliverables:

*Draft Community Profile
Preliminary Common Themes & Guiding Principles*

TASK 4: PLAN INTRODUCTION & COMMUNITY PROFILE (COMMITTEE MEETING #2)

Prior to our second meeting with the Steering Committee, B&L will prepare the Draft Plan Introduction to pair with the Draft Community Profile, as described in Task 3. The Introduction will include an overview of the purpose and context of comprehensive planning, as well as a brief summary of the public input received to date (a detailed summary may be provided in an appendix). These draft plan sections will be provided to the Committee ahead of the meeting for review. Revisions will be made to the drafts based on Committee input.

Task 4 Deliverables:

Draft Plan Introduction & Community Profile

TASK 5: VISION & GOAL FRAMEWORK (COMMITTEE MEETING #3)

B&L will draft an updated vision and goal framework based upon the information obtained in previous tasks. This draft material will be provided to the Committee prior to our third meeting to facilitate a meaningful discussion and review. The project team will make revisions to the Draft Vision and Goal Framework based on Committee input.

Task 5 Deliverables:

*Draft Common Themes & Guiding Principles
Draft Vision & Goal Framework*

**TASK 6: COMMUNITY DEVELOPMENT STRATEGY & IMPLEMENTATION PLAN
(COMMITTEE MEETINGS #4 & 5)**

At the fourth and fifth Committee meetings our team will refine a Draft Community Development Strategy and Implementation Plan. While it is expected that the input and preferences of the Town will be reflected in these sections, our team will also present additional concepts and ideas based on community enhancement, land use, sustainability, and resiliency planning best practices. The specifics of each section are described below.

- + **Community Development Strategy.** A Community Development Strategy outlines the preferred pattern and character of future land uses and development in the Town. This section of the comprehensive plan may include graphics, maps, and supporting narratives. It should be noted that the purpose of a community development strategy is not to prescribe land use and development parcel by parcel. Rather, it is intended to be a general indication of land use areas designated for preservation, investment, or change over time. Manlius' strategy may include, but is not limited to, the identification of greenspace, mixed-use activity centers, commercial corridors, neighborhoods, transportation networks, and gateways, each of which will consider the Villages', Town of Dewitt, and County Plans where applicable. This section of the Plan will ultimately provide a road map for development, enhancement, and preservation activities, guiding decision-makers and identifying the regulatory tools, standards, and policies necessary to achieve the Town's vision.
- + **Implementation Plan.** One of the key components of the plan update will be the identification of actions necessary to implement the vision, policies, and development strategy of Manlius. Our team will identify a series of action items based on public input and the Community Profile to achieve the vision outlined in Task 5. With Committee guidance, this will result in a prioritized Implementation Plan or Matrix. The Implementation Plan will outline potential capital expenditures, programs, projects, and policy initiatives necessary for long-term success. Topics recommended for future study will also be outlined in this section of the Plan.

Task 6 Deliverables:

*Draft Community Development Strategy
Draft Implementation Plan*

TASK 7: DRAFT COMPREHENSIVE PLAN (COMMITTEE MEETING #6)

B&L will prepare a Draft Comprehensive Plan document. The content of the Draft Plan is contingent on the work completed in the previous tasks, but it is anticipated that it will include some or all of the following:

- + Introduction;
- + Community Profile & Reference Maps;
- + Vision & Goal Framework;
- + Community Development Strategy with supporting map(s), narrative, & regulatory/policy recommendations; &
- + Implementation Plan in the form of a matrix or narrative.

The Draft Plan will be provided to the Committee for their review prior to our sixth meeting. B&L will complete revisions to the Plan based upon Committee input and provide the revised Draft Plan to the Town for posting to the public.

Task 7 Deliverables:

Draft Comprehensive Plan

TASK 8: COMMUNITY OPEN HOUSE & COMMITTEE PUBLIC HEARING (COMMITTEE MEETING #7)

Under this Task, B&L will lead the public review process of the Draft Plan. This typically includes preparing for and facilitating an Open House and Committee Public Hearing. The Open House provides local stakeholders an opportunity to meet with the project team, Committee, and Town representatives and learn about the Plan in an informal, interactive, and non-confrontational setting.

This task also includes facilitation of the Committee's Public Hearing and passing of a resolution recommending action on the Draft Plan to the Town Board. This step is required by NYS Town Law (§272-a). The Public Hearing is expected to be held the same day as the Open House. As a result, the seventh and final Committee meeting will be the Public Hearing conducted at the conclusion of the Open House or online alternative (if necessary) and held in compliance with NYS Open Meetings Law.

Task 8 Deliverables:

*Open House Presentation & Advertising Material
Draft Public Notice & Resolution Language*

TASK 9: SEQRA & COUNTY REFERRAL

B&L will assist the Town with preparing project based language for the completion of a Full Environmental Assessment Form (FEAF) required as part of compliance with the State Environmental Quality Review Act (SEQRA). However, it is expected that Town Staff and/or the Town Attorney will review and finalize these documents, including providing specific community context information. Should the Town prefer to complete a Generic Environmental Impact Statement (GEIS), additional scope of services and fee negotiation would be required. B&L will also assist the Town with the required referral to the Onondaga County Planning Board.

Task 9 Deliverables:

*Draft SEQR Project Language
Required County Referral Materials
Revised Draft Comprehensive Plan (as directed)*

TASK 10: TOWN BOARD PUBLIC HEARING & ADOPTION

Upon completion of Tasks 8 and 9, B&L will revise the Draft Plan based on any public comment received as directed by Town Staff and/or the Town Board. B&L will also facilitate the second required Public Hearing to be held by the Town Board. This may include a plan and process overview presentation if desired.

Task 10 Deliverables:

*Draft Public Notice & Resolution
Public Hearing Presentation (if desired)
Final Comprehensive Plan*

TECHNICAL ASSUMPTIONS

The following assumptions were made in support of or Scope of Service and Fee Proposal:

- + The Town will designate a single point of contact (typically the Steering Committee Chairperson) to communicate project related information to B&L team members.
- + B&L will attend and facilitate up to seven (7) working meetings with the Steering Committee to be scheduled as needed throughout the process. These meetings are assumed to be held via Zoom or other video conference platform. Should the conditions of the COVID pandemic allow, these meetings may be held in-person.
- + The Town and/or Steering Committee will be responsible for the preparation of meeting minutes, as needed.
- + The Town will be responsible for providing all necessary contact information for stakeholders and community interest groups.
- + B&L will prepare one (1) press release and up to two (2) graphic advertisements for each public meeting or outreach effort. This may include, but is not limited to flyers and/or social media compatible graphics or links.
- + The Town will be responsible for distributing and posting required meeting notices and any advertising material.
- + The Town will be responsible for updating all Town sponsored social media, website pages, and other communication platforms or channels utilized by the Town (e.g. Nextdoor App, Peach Jar, newspaper articles). B&L will provide project related content as necessary.
- + The Town will provide a single set of comments on all draft materials. B&L will make one round of edits as appropriate for each deliverable.
- + B&L will provide all deliverables in digital form, in order to reduce the environmental impact of this project. Any requests for hard copy deliverables will be invoiced at cost.

PROJECT TIMELINE

The anticipated timeline for completing the final comprehensive plan is 14 to 18 months. However, this timeline will be reliant on productive working meetings with the Steering Committee and a timely review of draft materials. The specific timing and scheduling of Steering Committee meetings will be coordinated with and decided upon by the selected working group.

Exhibit B - Insurance Town of Manlius Comprehensive Plan

The kinds and amounts of insurance required of the ENGINEER are as follows:

- a) A policy or policies providing protection for employees of the ENGINEER in the event of job-related injuries, generally referred to as "Worker's Compensation Insurance".
- b) Automobile Liability policies with a combined single limit of not less than \$1,000,000 for each person, or each accident because of bodily injury, sickness, or disease including death at any time resulting therefrom, sustained by any person, and for damages because of injury or destruction of property, including the loss of use thereof, caused by accident and arising out of the ownership, maintenance, or use of owned, non-owned or hired automobiles.
- c) Commercial General Liability Insurance shall be furnished with the limits of not less than:

General Aggregate	\$2,000,000	Each Occurrence	\$1,000,000
Products - Comp/Op Agg.	\$2,000,000	Damage to Rented Premises	\$100,000
Personal/Adv. Injury	\$1,000,000	Medical Expense	\$5,000
- d) Excess Liability Insurance Umbrella Form, bodily injury and property damage combined:

Each Occurrence	Aggregate
\$1,000,000	\$1,000,000
- e) Professional Liability Insurance, including errors and omissions, shall be maintained with minimum limits of not less than One Million Dollars (\$1,000,000).

IN THE MATTER

Of

**ADOPTING A RESOLUTION TO
AUTHORIZE THE ACCEPTANCE OF
ELECTRONIC FILING OF ASSESSMENT
COMPLAINTS WITH THE OFFICE OF
ASSESSMENT**

RESOLUTION

The **TOWN BOARD OF THE TOWN OF MANLIUS**, in the County of Onondaga, State of New York, met in regular session via the Internet Platform commonly referred to as ZOOM at the Town Hall in the Town of Manlius, located at 301 Brooklea Drive in the Village of Fayetteville, County of Onondaga, State of New York, on the 24th day of February, 2021, at 6:30 p.m.

The meeting was called to order by Edmond J. Theobald, Supervisor, and the following were present, namely:

Edmond J. Theobald	Supervisor
Sara Bollinger	Councilor
John Deer	Councilor
Elaine Denton	Councilor
Karen Green	Councilor
Katelyn Kriesel	Councilor
Heather Allison Waters	Councilor

Absent:

WHEREAS, Real Property Tax Law authorizes the Town of Manlius (the “Town”) to accept electronic filing (e-filing) of complaints for the administrative review of real property assessment;

WHEREAS, the Town Board believes that the electronic filing of complaints has several benefits to the Town and to its residents, including but not limited to: (i) reducing the exposure of the Town staff and the public from the spread COVID-19 virus; (ii) record keeping and verification that the e-filing system provides; (iii) reducing the amount of paper and travel, which encourages environmental sustainability; (iv) convenience for the residents of the Town;

WHEREAS, for the above reasons, the Town Board desires to authorize the Town Assessor to accept complaints by e-filing;

NOW THEREFORE BE IT,

RESOLVED, that the Town Board hereby authorizes and directs the Assessor of the Town to accept assessment complaints e-filed to the Assessment Office; and be it

FURTHER RESOLVED, that the following rules shall be in place for the acceptance of e-filed complaints:

1. Complaint Forms (RP-524) (the “Form”) shall be available to the public on the Town Web site www.townofmanlius.org.
2. Staff of the Assessment Office shall inform any person requesting a Form that the complaints may be filed by e-filing and provide them with the RP-524 that contains instructions for filing and further instructions for how to accomplish the e-filing.
3. The Town Board shall publish in the official Town newspaper, at least 30 days before the Board of Assessment Review meets to review complaints, a notice explaining the option to e-file.
4. Property owners may e-file the Form themselves or by an authorized representative or an attorney may file a Form on their behalf. A fully completed power of attorney or designation of representative must accompany the Form or it may be rejected.
5. A separate Form must be e-filed for each individual parcel unless the Assessor, in his/her discretion, agrees in writing that a single Form will be accepted for certain contiguous parcels identified in writing by the Assessor.
6. By choosing to e-file, the Complainant consents to receive correspondence related to their complaint, as well as the determination of the Board of Assessment Review, via e-mail or other electronic method established by the Town.
7. Complainants must e-file documents in advance of the filing deadlines set by the State. User problems such as problems with a user’s telephone line, internet service provider, hardware, software, acts of nature or problems understanding or following the e-filing instructions, or rejection of documents because they contain a virus will not excuse untimely filing. A Complainant who cannot e-file a document because of

any of these problems must file conventionally and timely. The Town's inability to receive a document via its e-filing system due to technical failure will not excuse an untimely filing unless the Town acknowledges the technical failure in writing and agrees to an extension of time.

And be it,

FURTHER RESOLVED, that this Resolution shall be posted on the Town Bulletin Board and on the Town website;

I, ALLISON WEBER, Town Clerk of the Town of Manlius, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Manlius at a regular meeting of the Board duly called and held on the 24th day of February 2021; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I HEREBY CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Manlius, this 24th day of February, 2021.

DATED: _____, 2021
Fayetteville, New York

ALLISON WEBER
Town Clerk of the Town of Manlius
Onondaga County, New York

IN THE MATTER
Of
SUSPENDING THE TOWN CODE
PROVISIONS LICENSING PEDDLERS AND
SOLICITORS IN THE TOWN OF MANLIUS

RESOLUTION

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John Deer	Councilor
Elaine Denton	Councilor
Karen Green	Councilor
Katelyn Kriesel	Councilor
Heather Allison Waters	Councilor

Absent:

WHEREAS, the Town of Manlius is affected by the Covid-19 virus pandemic (the “Pandemic”), and the public health emergency that was the underlying public health and safety emergency of the Declaration of Disaster Emergency still exists and is even worse; and

WHEREAS, as of January 2020, in excess of 30,000 residents of Onondaga County, have contracted the Covid-19 virus and over 600 Onondaga County residents suffered Covid-19 virus related deaths; and

WHEREAS, it is essential that residents of the Town of Manlius take strong measures to protect themselves from contracting Covid-19 by wearing masks and maintaining six feet of distance from other individuals; and

WHEREAS, many residents are following the recommendation of both New York Governor Cuomo and Onondaga County Executive J. Ryan McMahon, III to work from home if at all possible and limit personal interactions with persons outside the home; and

WHEREAS, door to door peddlers and solicitors, may put residents of the Town of Manlius at a greater risk of contracting the Covid-19 virus by traveling door to door to resident's homes and such residents are more focused on protecting the safety of their families during this public health emergency;

NOW, THEREFORE, the Town Board of the Town of Manlius, by virtue of the authority vested it by the Constitution and Laws of the State of New York, in order to protect residents in the Town of Manlius, **hereby authorizes the Supervisor to issue the following Local Emergency Order No ____ pursuant to the Constitution of the State of New York and Section 24 of the New York State Executive Law, specifying that:**

1. Pursuant to Chapter 89, Peddlers and Solicitors as defined in Section 89-1 of the Code of the Town Of Manlius, are prohibited from going from house to house or place of business to place of business or any combination thereof for the purpose of peddling or soliciting as defined under such Chapter during this public health emergency.
2. The Police Department is authorized to enforce this Local Emergency Order ____ as indicated under Section 89-17 of the Code of the Town of Manlius, since no permits shall be issued to conduct peddling, or soliciting during this present public health emergency.
3. This Local Emergency Order shall become effective 6:30 am on Thursday, February 25, 2021.
4. This Local Emergency Order No. _____ is subject to any written directive issued to the Supervisor by the Governor of the State of New York or the New York State Department of Health necessitating a modification of this Order.
5. This Local Emergency Order No. _____ shall remain in effect for a period of five (5) days, and automatically renew until the Declared State of Emergency relating to the Covid-19 Virus Outbreak has ceased, or earlier upon a declaration by the Town Supervisor, that the State of Emergency no longer exists in the Town of Manlius.

I, ALLISON WEBER, Town Clerk of the Town of Manlius, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Manlius at a regular meeting of the Board duly called and held on the 24th day of February 2021; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I HEREBY CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Manlius, this 24th day of February, 2021.

DATED: _____, 2021
Fayetteville, New York

ALLISON WEBER
Town Clerk of the Town of Manlius
Onondaga County, New York

2020 Encumbrances and Budget Transfers

Encumbrances:

(outstanding purchase orders from 2020)

A005.1410.401 Town Clerk-Office Supplies	\$1600
• Supplies for searchable kiosk project that was put on hold due to COVID	
•	
A005.1410.402 Town Clerk-Seminars/Conf.	\$2000
• Training that was cancelled in 2020 due to COVID that will take place in 2021	
•	
A005.1460.400 Records Mgmt.-Contractual	\$6,000
• Searchable kiosk project that was started in 2020 but was put on hold due to COVID	
A005.3120.200 Police-Equipment	\$7270.
• Upfit vehicle 213 (lights, sirens, partition, console, antennae, cables, cargo box)	
A005.3120.400 Police-Contractual	\$6122.71
• Portable radios	
A005.3120.402 Seminars/Conf.	\$3,000
• Police academy expenses	
A005.3120.412 Police-Vehicle Repair	\$34,641
• Upfit vehicle 210 (lights, sirens, etc.)	\$8712.03
• Upfit vehicle 212 (lights, sirens, etc.)	\$8345
• Upfit vehicle 211 (lights, sirens, etc.)	\$8345
• Truck tires	1563.96
• Replace fuel pump & NOX sensor truck	\$3125.01
• Replace transmission vehicle 141	\$4550.00
A005.3120.446 Police-Maintenance Contract	\$386.96
• Spectrum monthly billing 12/20	\$274.98
• Verizon monthly billing 12/20	\$111.98
A005.3120.447 Police-Garage Supplies	\$17,761.99
• Night goggles (\$3415), thermal monocular (\$3306.99) binoculars (\$2490) to be reimbursed by SLETPP grant	
• NY live scan system/NY software (\$8550) to replace aging system	
A005.3120.448 Police-Uniforms/Cleaning	\$2829.37
• Peace officer badges	\$371.35
• Ballistic vest	\$753.30
• Honor guard uniform	\$320.73
• Honor guard uniform	\$510.23
• SPO (Special Patrol Officer) uniform/equipment	\$873.76

A005.3120.460 Police-Tuition Reimbursement \$2,000

A005.3120.464 Police-Protection Gear \$12,482.28

- Training Ammunition \$3805.82 (NYS Contract)
- Livescan workstation, scanner, installation, 1 yr warranty \$4275
- Weapon lights (3) and sights (2) \$1401.46
- Duty ammunition \$3000

A005.3120.465 Police-Forensic \$9,875

- Drone \$4000
- Livescan workstation, scanner, installation, 1 yr warranty \$4275
- Evidence Lockers \$1600

DA0.5.5142.471 Snow Removal Repairs \$2457.17

- Sander chain for truck 18/23

Budget Transfers:

Amount: \$4,000

From: A005.1460.100 Records Management-Personal Services

To: A005.1410.100 Town Clerk-Personal Services

- Records Management Officer (Weber) salary; reimburse clerk budget for payment of RMO salary

Amount: \$17,025

From: A005.1410.100 Town Clerk-Personal Services

To: A005.7310.100 Recreation-Personal Services

- T. Galvin moved from recreation to clerk in June 2020; 50% reimbursement of salary paid from recreation budget

Amount: \$450.00

From: A005.3310.100 Traffic Control-Personal Services

To: A005.3310.400 Traffic Control-Contractual

- One quarter of service for school crossing beacons

Amount: \$11,145

From: B005.3620.100 Planning & Development-Personal Services

To: A005.1410.100 Town Clerk-Personal Services

- 30% of D. Witzel salary; reimburse clerk budget for payment of salary

IN THE MATTER

Of

**CONSIDERING THE ADOPTION OF A
DRAFT PLAN PURSUANT TO EXECUTIVE
ORDER 203 RELATED TO POLICE
REFORM AND REINVENTION
COLLABORATION**

**RESOLUTION CALLING FOR
PUBLIC HEARING**

The **TOWN BOARD OF THE TOWN OF MANLIUS**, in the County of Onondaga, State of New York, met in regular session via the Internet Platform commonly referred to as ZOOM at the Town Hall in the Town of Manlius, located at 301 Brooklea Drive in the Village of Fayetteville, County of Onondaga, State of New York, on the 24th day of February, 2021, at 6:30 p.m.

The meeting was called to order by Edmond J. Theobald, Supervisor, and the following were present, namely:

Edmond J. Theobald	Supervisor
Sara Bollinger	Councilor
John Deer	Councilor
Elaine Denton	Councilor
Karen Green	Councilor
Katelyn Kriesel	Councilor
Heather Allison Waters	Councilor

Absent:

WHEREAS, on April 1, 2020, Governor Andrew Cuomo issued Executive Order 203, which requires local governments to adopt a policing reform plan (the “Plan”) by April 1, 2021;

WHEREAS, the Town Board of the Town of Manlius, in August of 2020, created a Public Safety Advisory Committee (the “Committee”) to assist the Town Board with developing the Plan;

WHEREAS, since it was created, the Committee, which consists of two Town Board members and twelve (12) community members, has met and worked together with the Manlius Chief of Police to gather community input identifying the types of services existing and needed in the future by the Manlius community;

WHEREAS, the Committee has met on a monthly basis to discuss the community input, police procedures and collected data from the Manlius Police Department;

WHEREAS, on October 22, 2020, the Committee held an informational presentation by Manlius Police Department at which time the Department was able to answer questions raised by the Committee and questions generated from the Committee’s public outreach efforts;

WHEREAS, through the Fall of 2020 and Winter of 2021, the Committee has begun to develop the Plan and has recently completed it in draft form;

WHEREAS, the Committee desires to hear from the public about the Plan through a virtual public hearing;

NOW, THEREFORE, the Town Board of the Town of Manlius hereby orders that a public hearing be held on the Plan (attached to this Resolution and available on the Town of Manlius Website (townofmanlius.org)) at the _____, 2021 regular meeting of the Town Board, the directions to attend such virtual hearing are as follows:

AND BE IT FURTHER RESOLVED, that the Town Clerk shall public a notice of the public hearing in a newspaper of general circulation in the Town of Manlius within five (5) days of said public hearing.

I, ALLISON WEBER, Town Clerk of the Town of Manlius, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Manlius at a regular meeting of the Board duly called and held on the 24th day of February 2021; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I HEREBY CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Manlius, this 24th day of February, 2021.

DATED: _____, 2021
Fayetteville, New York

ALLISON WEBER
Town Clerk of the Town of Manlius
Onondaga County, New York