MINUTES
TOWN BOARD
March 13, 2013

The Town of Manlius Town Board assembled at the Town Hall, 301 Brooklea Drive, Fayetteville, New York, with Supervisor Edmond Theobald presiding and the following Board members present:

John R. Loeffler, Councilor
David M. Marnell, Sr., Councilor
Nicholas J. Marzola, Councilor
Jason Cassalia, Councilor
Vincent Giordano, Councilor
Karen Green, Councilor

The following Town Officers were present:

Timothy Frateschi, Attorney for the Town
Fran Marlowe, Manlius Police Chief
Ann Oot, Town Manager
Allison A. Edsall, Town Clerk
Doug Miller, Town Engineer
Rob Cushing, Highway Superintendent

Other persons attending:

Ellen & Mike McGrew, Manlius. Mark Tetley, Fayetteville. Tom Ball, East Syracuse. Mike Barney, Minoa.

1. The Pledge of Allegiance

Supervisor Theobald, called the meeting to order at 7:00 pm. Town Clerk Edsall led the Pledge of Allegiance. Supervisor Theobald welcomed everyone and thanked all for attending.

2. Approval of Minutes – February 27, 2013

Councilor Marnell made a motion, seconded by Councilor Green, to approve the minutes of February 27, 2013 as submitted by Town Clerk Edsall.

Ayes: Supervisor Theobald, Councilor Loeffler, Councilor Giordano, Councilor Green, Councilor Marnell, Councilor Cassalia, Councilor Marzola

Nayes: 0 All in Favor. Motion Carries.

3. Approval of Abstract # 5

Councilor Marzola made a motion, seconded by Councilor Giordano, to approve Abstract # 5 as submitted by Town Clerk Edsall.

TOWN OF MANLIUS
Fund Summary
Abstract # 5 - 2013

CODE	FUND	TOTALS
A	General Fund Townwide	$69,168.31
B	General Fund Town	$ 1,510.50
DA	Highway Fund Townwide	$40,612.80
DB	Highway Fund Town	$ 1,181.79
SR1	Manlius Trash District	$81,430.10
SR2	Manlius Res Brush District	$11,908.67
SS1	Manlius Con Sewer District	$ 851.45

Ayes: Supervisor Theobald, Councilor Loeffler, Councilor Giordano, Councilor Green, Councilor Marnell, Councilor Cassalia, Councilor Marnell

Nayes: 0 All in Favor. Motion Carries.

4. Appointment of Clerks to Town Justice

Councilor Cassalia made a motion, seconded by Councilor Marnell to hire Jeanette Zacharias at a rate of $43,540.18 and Janet Stanley at a rate of $42,340.18 as Clerks to Town Justice effective April 1, 2013.

Discussion: Discussion ensued regarding what the rate of pay was for the clerks and the motion was tabled while Town Manager Oot obtained the information. Once the information was available the Town Board voted on the motion.

Ayes: Supervisor Theobald, Councilor Loeffler, Councilor Giordano, Councilor Green, Councilor Marnell, Councilor Cassalia, Councilor Marnell

Nayes: 0 All in Favor. Motion Carries.

5. Workplace Violence Policy

Town Manager Oot submitted a copy of a draft Workplace Violence Policy for the Town Board to review. Town Manager Oot stated that this is a draft that PESCH recommends and has prepared.

6. Set Date – Public hearing – MS4 Stormwater

Councilor Marnell made a motion, seconded by Councilor Giordano, to set date for a public hearing in the matter of the 2013 Annual MS4 Stormwater Report for April 10, 2013 at 7:05 pm.

Ayes: Supervisor Theobald, Councilor Loeffler, Councilor Giordano, Councilor Green, Councilor Marnell, Councilor Cassalia, Councilor Marnell

Nayes: 0 All in Favor. Motion Carries.

7. Action Top Soil – Renewal of Special Permit – Landscaping Business, 6320 Costello Parkway, Minoa NY 13116 tax map # 092.-01-11.0

Supervisor Theobald stated that he and Town Engineer Miller reviewed the special permit conditions with the applicant.

Councilor Giordano stated that the equipment that was improperly stored has been moved to the proper place on the property. Councilor Giordano also stated that the conditions of the special permit have been updated.

Discussion ensued regarding the visual barriers, the existing six foot fence and shrubbery.

Councilor Giordano made a motion, seconded by Councilor Marzola, to approve the renewal of the special permit for Action Topsoil - Landscaping Business- 6320 Costello Parkway, Minoa NY 13116 tax map # 092.-01-11.0 for a period of seven years as outlined in the resolution prepared by the Attorney for the Town.

Discussion and amendment: Discussion ensued regarding the visual barriers. The special permit (condition 15) was clarified and amended to state that the existing six foot fence will be supplemented with shrubbery. The plantings shall be reviewed and approved by the Office of Planning and Development. Town Attorney Frateschi made modifications to the resolution to reflect said amendments which the Town Board adopted by the following votes.

Ayes: Supervisor Theobald, Councilor Loeffler, Councilor Giordano, Councilor Green, Councilor Marnell, Councilor Cassalia, Councilor Marnell

Nayes: 0 All in Favor. Motion Carries.

8. Correspondence/New Business

A) Highway Superintendent

Highway Superintendent Cushing discussed Advocacy Day and stated that it appears that the CHIPS money will remain flat. Highway Superintendent Cushing stated that costs continue to rise and this does not support increasing costs.

B) Planning & Development – No New Business

C) Attorney – No New Business

D) Town Clerk – No New Business

E) Town Board

Councilor Cassalia stated that the current court security contract needs to be amended to include one additional officer. Councilor Cassalia stated that the court officers submit a monthly review of court security activities and they have reported that they have stopped a number of weapons from entering the courtroom.

Discussion ensued regarding the current court security contract.

Councilor Cassalia made a motion, seconded by Councilor Marnell to amend the current court security contract dated January 8, 2013 to include Ralph De Forest at a rate of $30.00 per hour.

Ayes: Supervisor Theobald, Councilor Loeffler, Councilor Giordano, Councilor Green, Councilor Marnell, Councilor Cassalia, Councilor Marnell

Nayes: 0 All in Favor. Motion Carries.

Councilor Cassalia stated that the court would like to have $50.00 cash drawer available to make change for residents paying court fines. Town Manager Oot stated that this is allowed as outlined in the rules for Justice Court Funds provided by the Office of Court Administration.

Councilor Cassalia made a motion, seconded by Councilor Marnell, to authorize a working cash account of $50.00 for the Justice Court for the purposes of making change for fines and fees.

Ayes: Supervisor Theobald, Councilor Loeffler, Councilor Giordano, Councilor Green, Councilor Marnell, Councilor Cassalia, Councilor Marnell

Nayes: 0 All in Favor. Motion Carries.

Councilor Giordano gave an update on the fire facilities discussion in the Village of Manlius. Discussion ensued.

Attorney Frateschi stated that the Fayetteville Manlius School District would like to purchase an old 2001 Chevy Tahoe for $1.00 for maintenance uses. Attorney Frateschi stated that the school district will return the vehicle to the Town when they are done with it so that the Town can auction the vehicle off. Attorney Frateschi stated this is part of inter-municipal cooperation.

Councilor Giordano made a motion, seconded by Councilor Marnell, to authorize the Supervisor to enter into a contract with the Fayetteville Manlius School District to sell a 2001 Chevy Tahoe to the School district for the amount of $1.00 as outlined in the contract prepared by the Attorney for the Town.

Ayes: Supervisor Theobald, Councilor Loeffler, Councilor Giordano, Councilor Green, Councilor Marnell, Councilor Cassalia, Councilor Marnell

Nayes: 0 All in Favor. Motion Carries.

F) Supervisor

Supervisor Theobald gave an update on the Executive Committee for the Fire Consolidation Study. Supervisor Theobald stated that the Executive committee met with the Fire Chief's to discuss the progress towards their organizational consolidation plan and that they will be in contact with a facilitator to schedule a meeting. Supervisor Theobald stated that the facilitator will help them set time tables, succession plans, capital discussions and other important variables towards the plan.

Discussion ensued regarding the cost for the facilitator and the ongoing organization consolidation process.

Supervisor Theobald opened the floor for public comment for topics that have been discussed at the Town Board meeting. There was no comment from the public.

9. EXECUTIVE SESSION

There being no further business to come before the Board, upon motion duly made by Councilor Marnell and seconded by Councilor Giordano, the Board unanimously voted to adjourn regular session at 7:52 pm to enter into executive session to discuss personnel issues and legal advice.

Respectfully Submitted by:

Allison Edsall
Town Clerk

EXECUTIVE SESSION MEETING MINUTES

Executive Session
March 13, 2013

Upon motion duly made by Councilor Marnell and seconded by Councilor Cassalia, the Board unanimously agreed to close Executive Session and re-enter Regular Session.

The Town Board re-entered Regular Session at 9:30 p.m.

Councilor Marnell made a motion, seconded by Councilor Cassalia, to authorize the Supervisor with the assistance of the Town Board to develop an RFP for a forensic audit of the Justice Court.

Ayes: Supervisor Theobald, Councilor Loeffler, Councilor Giordano, Councilor Green, Councilor Marnell, Councilor Cassalia, Councilor Marnell

Nayes: 0 All in Favor. Motion Carries.

There being no further business to come before the Board, upon motion duly made by Councilor Marzola and seconded by Councilor Loeffler, the Board unanimously voted to adjourn the Regular Session at 9:32 p.m.

Submitted by:

Timothy Frateschi
Attorney for the Town