Agenda
Manlius Town Board
June 9, 2021
6:30 PM

1. Virtual Meeting Instructions

   Documents:

   6-9-21 TOWN BOARD MEETING INSTRUCTIONS.PDF

2. Pledge Of Allegiance

3. Open Podium

   3.I. Zara Kirkwood
   - Peddling & Soliciting in the Town of Manlius

   3.II. Mark Lavine
   - Engineering Contract for the Town Board
   - Cost of the Salt Springs Water District

   3.III. Joe Messineo
   - Salt Springs Water District

4. Approval Of Minutes

   Documents:

   5-26-21 DRAFT.DOCX

5. Approval Of Abstract # 11

   Documents:

   ABSTRACT 11.PDF

6. 3GI - Central New York Inland Port - Zone Change Application - Restricted Agricultural (RA) To Industrial (I) 054.-01-06.1 & 054.-01-04.1

   Documents:

   3GI ZONE CHANGE APPLICATION RA TO I - APRIL 2021.PDF

7. Set Date - Public Hearing - Proposed Local Law Modification Of 2 Years Terms For Highway Superintendent And Town Clerk To 4 Years

   Documents:

   LOCAL LAW 2021 - TERMS OF OFFICE HIGHWAY SUPERINTENDENT SET DATE FOR A PUBLIC HEARING.PDF
   LOCAL LAW 2021 - TERMS OF OFFICE TOWN CLERK - SET DATE FOR A PUBLIC HEARING.PDF

8. 457 Deferred Compensation Plan

9. Highway Superintendent

9.I. Notice Of Bridge Closure - Kirkville Road Bridge

Onondaga County DOT will be closing the Kirkville Road Bridge (over Limestone Creek between Schepps Corners Rd. and N. Manlius Rd) after the 4th of July for repairs. Detours will be posted. The project should be completed by early September.

10. Planning & Development

11. Attorney

12. Town Clerk

12.I. Proposed Changes To Rules Of Decorum - Virtual Meeting Attendees

Documents:

TOWN OF MANLIUS RULES OF DECORUM AT PUBLIC MEETINGS PROPOSED UPDATES JUNE 2021.PDF

13. Police Chief

14. Town Manager

15. Committee Reports

16. Supervisor

17. Adjournment

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

Town of
MANLIUS
New York

June 9, 2021 – 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/83312600292?pwd=eGhURnNDUG5abXhjTWhlaW0zV1VKZz09

Password to join when prompted:

Password: **220521**

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: 833 1260 0292

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

Password: **220521**

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
May 26, 2021

The Town of Manlius Town Board hybrid meeting in-person and virtual live streaming with Supervisor Edmond Theobald presiding and the following Board members present:

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

The following Town Officers were present:

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

Virtual Meeting Attendees: Nick Agrippino, Carol Ilacqua, Terry Carguello, John Carguello

In Person Attendees:

1. Welcome & Introductions

Supervisor Theobald introduced the Town Board Members and Town Officers that were in attendance.

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

Nicholas Agrippino, Manlius, attended virtually and spoke about the legalization of cannabis products in New York State for adults 21 and older. Mr. Agrippino encouraged the Town to discuss this further and spoke in favor of not opting out of the marijuana legislation.

Attorney Frateschi reviewed legislation related to the sales and consumption of marijuana in New York State.

Carol Ilacqua, Manlius, requested that the town bond to form a water district on Appletree Ridge and Armstrong Rd. for three neighbors that include herself, William McGinnis and David Temes. Ms. Ilacqua stated that there are problems with their wells and they would like to connect to public water.

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Discussion ensued regarding the process required to form water district. Representatives from the area and Town Officials will meet to discuss the logistics and requirements further.

Supervisor Theobald recognized John Carguello who is working on becoming an Eagle Scout. Mr. Carguello stated his Eagle project is at Green Lakes repairing a community garden.

4. Approval of Minutes – April 28, 2021 & May 12, 2021

Councilor Green made a motion, seconded by Councilor Denton, to approve the minutes of April 28, 2021 as submitted by Town Clerk Weber.

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Green made a motion, seconded by Councilor Waters, to approve the minutes of May 12, 2021 as submitted by Town Clerk Weber.

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

Abstain: Councilor Kriesel

Motion Carries.

5. Approval of Abstract # 10

Councilor Bollinger made a motion, seconded by Councilor Green, to approve Abstract # 10 as submitted by Town Clerk Weber.

	TOWN OF MANLIUS	
	Fund Summary	
	Abstract # 10- 2021	
CODE	**FUND**	**TOTALS**
A	General Fund Townwide	$ 72,551.40
B	General Fund Town	$ 1,008.10
CM1	Police Trust	$ 781.28
DA	Highway Fund Townwide	$ 4,810.98
DB	Highway Fund Town	$ 8,614.16

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

Nayes: 0 All in Favor. Motion Carries.

6. Salt Spring Water District

Councilor Bollinger stated this is the Manlius portion of the Salt Springs Water District and the map plan and report have been submitted. Councilor Bollinger stated the petitions will be at Town Hall for anyone who wishes to review the documentation and/or sign. Councilor Bollinger

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also stated there will be two petitions for resident volunteers to go door to door with. Councilor Bollinger stated they would like all the petitions completed by the end of June.

7. Discussion – Modification of 2 Year Terms for Town Clerk and Highway Superintendent.

Supervisor Theobald reviewed the information provided by Town Clerk Weber as to how many towns in Onondaga County have two-year or four-year terms for these positions.

Councilor Deer stated he believes this will afford these positions more time for long term planning and projects.

Attorney Frateschi stated the process to change an elected officials term would require a mandatory referendum and the passing of a local law. Attorney Frateschi stated the local law must be passed sixty day or more before a general election.

Highway Superintendent Cushing stated most of the planning that is done is for three to four years out, such as drainage projects, paving as well as the business portion of these positions.

Attorney Frateschi stated he will prepare a draft local law for the change of terms for the June 9th meeting.

8. Highway Superintendent

Highway Superintendent Cushing stated they have started the summer paving projects and will notify the residents by postcard when they will be in their area.

10. Attorney

Attorney Frateschi reviewed a resolution that would allow the Town to accept donations/gifts to assist the Sustainable Manlius Committee. Attorney Frateschi stated that under Town law this would be called a publicity fund and would have a separate Town bank account.

Councilor Kriesel stated that members of the Sustainable Manlius Committee offered to donate money to help with ads for marketing of Earth Fest 2021. Councilor Kriesel stated this publicity fund would allow for donations/gifts to be accepted to help support Sustainable Manlius.

Councilor Waters asked if it would be possible to make this fund a not-for-profit later if wanted. Attorney Frateschi stated that towns cannot create a not-for-profit and reviewed how the fund would be managed for Sustainable Manlius.

Councilor Kriesel made a motion, seconded by Councilor Denton, to adopt the resolution as prepared by the Attorney for the Town to create a fund to except donations/gifts for Sustainable Manlius as amended to change the word deposits to expenditures in section five.

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

Nayes: 0 All in Favor. Motion Carries.

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11. Town Clerk

Town Clerk Weber asked the board for a verbal approval to rescind the Resolution for the temporary suspension of commercial peddler permits in the Town do to the COVID-19 Pandemic.

Councilor Waters made a motion, seconded by Councilor Bollinger, to rescind the temporary suspension of commercial peddler permits in the town.

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 that the Department of Agriculture and Markets has conducted its annual inspections of our dog control facility (CNYSPCA) and the dog control officer. Town Clerk Weber stated that the report was completed in March of 2021, and the facility and dog control officer were given a satisfactory report.

Town Clerk Weber stated she would like the boards input on updating the Rules of Decorum to include the hybrid meetings which are becoming the standard. Town Clerk Weber stated she would like it to include instructions for participants to provide name and address and to give instructions on how to participate in Open Podium.

12. Police Chief – No New Business

Chief Crowell gave the following report:

1. Three new officers will be attending the upcoming academy.
2. The Department is finalizing the Village of Fayetteville Memorial Day Parade plans and planning started for the 4th of July in the Village of Manlius.
3. Selections for the newly created community unit will be announced the first part of July.
4. Congratulations to Lynn Rybinski on her retirement after 30 years of service.
5. The Town of Manlius Police Department has been responding to a higher volume of calls at Green Lakes State Park in part due to the fact that the State of New York is not supporting the Park Police anymore.

13. Town Manager

Workers Compensation Policy Renewal

Town Manager Oot stated the workers compensation policy is due to expire on May 31st. Town Manager Oot stated that PERMA and Comp Alliance both offered quotes with two-year options. Town Manager Oot recommended going with PERMA as their two-year options is significantly lower and there is a year two option if the losses are below 50%.

Councilor Green made a motion, seconded by Councilor Waters, to accept the PERMA quote with the two-year option.

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

Nayes: 0 All in Favor. Motion Carries.

457 Deferred Compensation Plan

Supervisor Theobald stated he had completed a spread sheet and summary of Deferred Compensation Plans for voluntary retirement savings plans, for the board members. Supervisor Theobald stated he would recommend staying with Lincoln Financial because of their service.

Supervisor Theobald introduced Dan Jeffery, Certified Financial Planner and a discussion continued concerning different plans and costs.

Councilor Kriesel made a motion, seconded by Councilor Green, to adopt the plan as presented with Best Times Financial and maintaining the current plan with Lincoln Financial.

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

Nayes: 0 All in Favor. Motion Carries.

14. Committee Reports

Sustainable Manlius

Councilor Kriesel stated that Sustainable Manlius received a $5,000 grant that was awarded earlier this year for being a NYSERDA Clean Energy Community. Councilor Kriesel stated that a decision was made to spend the money to promote two initiatives, Community Solar and Heat Smart CNY.

Councilor Kriesel made a motion, seconded by Councilor Deer, to authorize the Supervisor to sign a letter of support for the grant application to be used for marketing for Sustainable Manlius and the Community Campaign for NYSERDA.

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

Nayes: 0 All in Favor. Motion Carries.

Economic Development

Councilor Kriesel stated that she is working with the Manlius Chamber of Commerce and the FM Education Foundation to hold a co-sponsored dining week in October 2021 in support the FM Education Foundation and to support the local economy. Councilor Kriesel stated she will be working with the Manlius Chamber of Commerce to do a similar economic event in the Minoa, Kirkville area.

Councilor Waters spoke about the CNY Works Program that is sponsored by Onondaga County. Councilor Waters suggested the Town might partner with this program to employ young people

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looking for summer work and would be paid by the county. Councilor Waters suggested that the Highway and Recreation departments might be able to benefit from this labor.

13. Supervisor

Supervisor Theobald also congratulated Lynn Rybinski on her retirement from the Police Department.

Supervisor Theobald spoke about the Memorial Tree Planting that took place on May 21st at Wellwood School.

14. 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 8:43 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

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** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	LINE ITEM ANNUAL BUDGET	LINE ITEM BUDGET AVAILABLE	LINE ITEM OVER BUDG	GROUP BUDGET ANNUAL BUDGET	GROUP BUDGET AVAILABLE	GROUP OVER BUDG
2021	A00-5.1220.400	Supervisor - Contractual	3,333.00	40,000	20,002.00		89,850	52,572.32	
	A00-5.1220.480	Supervisor - Payroll	690.25	31,700	19,180.58		89,850	55,215.07	
	A00-5.1410.405	Town Clerk - Information T	2,590.00	2,590	119.99-	Y	8,387	5,362.48	
	A00-5.1420.481	Attorney - Litigation	2,616.60	25,000	11,699.62		116,000	67,663.13	
	A00-5.1420.483	Attorney - Town Board	5,500.00	66,000	33,000.00		116,000	64,779.73	
	A00-5.1440.400	Engineer - Contractual	560.00	56,400	40,468.40		69,900	53,968.40	
	A00-5.1460.400	Record Managemnt - Contrac	895.00	4,895	9,635.92		4,895	9,635.92	
	A00-5.1620.420	Buildings - Gas/Electric	2,164.35	25,000	9,731.73		270,130	118,713.28	
	A00-5.1620.421	Buildings - Phone	294.69	10,680	4,268.53		270,130	120,582.94	
	A00-5.1620.422	Buildings - Water	247.20	850	387.70		270,130	120,630.43	
	A00-5.1620.423	Buildings - Security Servi	60.95	1,000	634.30		270,130	120,816.68	
	A00-5.1620.424	Buildings - Internet	139.99	2,150	1,002.01		270,130	120,737.64	
	A00-5.1620.430	Buildings - Cleaning	576.25	17,550	7,095.42		270,130	120,301.38	
	A00-5.1620.440	Buildings - Repairs	1,022.61	5,000	240.30-	Y	270,130	119,855.02	
	A00-5.1640.410	Central Garage - Gasoline	5,305.42	70,000	29,061.71		73,000	26,624.25	
	A00-5.1670.407	Central Printing - Copier	593.44	5,500	2,140.42		42,300	28,713.41	
	A00-5.1670.408	Central Printing - Post Me	487.53	2,000	1,024.94		42,300	28,819.32	
	A00-5.1950.400	Taxes on Town Property	400.00	1,000	0.79-	Y	1,000	0.79-	Y
	A00-5.3120.461	Police - Accreditation	2,099.00	39,837	24,595.35		542,663	505,491.26	
	A00-5.3310.400	Traffic Control - Contract	22.22	200	1,283.82-	Y	200	1,283.82-	Y
	A00-5.5132.420	Garage - Gas/Electric	1,380.53	29,500	10,455.15		68,264	34,798.80	
	A00-5.5182.400	Street Lighting - Contract	316.79	6,000	3,551.21		6,000	3,551.21	
	A00-5.9040.800	Workers'Compensation	87,200.00	100,000	28,571.38-	Y	100,000	28,571.38-	Y
	A00-5.9055.800	Disability Insurance	506.52	5,700	7,604.41		5,700	7,604.41	
	A00-5.9060.800	Health Insurance	157,500.47	1,982,325	1111,675.84		1,982,325	1,111,675.84	
	B00-5.3620.400	P & D - Contractual	4,034.10	85,535	69,358.30		109,070	84,904.87	
	B00-5.3620.421	P & D - Phone	130.99	2,840	1,479.94		109,070	88,807.98	
	B00-5.8010.450	Zoning - Attorney	374.00	4,000	2,980.00		5,450	4,130.52	
	B00-5.8020.450	Planning - Attorney	3,531.75	20,000	7,553.96		21,400	6,965.78	
	B00-5.9040.800	P & D - Worker's Compensat	4,357.00	5,000	1,567.40-	Y	5,000	1,567.40-	Y
	B00-5.9055.800	P & D - Disability Insruan	21.40	260	135.05		260	135.05	
	B00-5.9060.800	P & D - Hospital & Medical	4,229.94	52,116	26,736.36		52,116	26,736.36	
	DA0-5.9040.800	Worker's Compensation	34,880.00	40,000	13,295.00-	Y	2,531,847	2,146,490.21	
	DA0-5.9060.800	Hospital & Medical Insuran	25,645.27	168,589	14,717.38		168,589	14,717.38	
	DB0-5.9040.800	Worker's Compensation	34,880.00	40,000	13,295.00-	Y	40,000	13,295.00-	Y
	DB0-5.9055.800	Disability Insurance	185.48	2,000	1,814.52		2,000	1,814.52	
	SD1-5.8540.400	Drainage - Contractual	558.19	65,775	64,796.81		65,775	64,796.81	
	SD3-5.8540.400	Drainage - Contractual	978.18	88,225	87,176.82		88,225	87,176.82	

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	LINE ITEM ANNUAL BUDGET	LINE ITEM BUDGET AVAILABLE	LINE ITEM OVER BUDG	GROUP BUDGET ANNUAL BUDGET	GROUP BUDGET AVAILABLE	GROUP OVER BUDG
2021-2022	A00-2.700	Rec Dept Clearing Acct	817.10						
	A00-5.1010.400	Town Board - Contractual	150.00	59,500	43,485.25		61,500	45,933.41	
	A00-5.1110.401	Justices - Office Supplies	231.95	2,800	2,587.70		19,195	18,765.20	
	A00-5.1220.401	Supervisor - Office Suppli	59.96	3,000	1,881.99		89,850	55,905.32	
	A00-5.1355.400	Assessors - Contractual	520.28	1,100	660.87		38,320	9,157.44	
	A00-5.1355.401	Assessors - Office Supplie	32.48	1,500	1,322.57		38,320	9,157.44	
	A00-5.1410.401	Town Clerk - Office Suppli	248.42	2,200	3,411.85		8,387	7,952.48	
	A00-5.1410.402	Town Clerk - Seminars/Conf	149.00	2,000	3,070.74		8,387	7,952.48	
	A00-5.1410.403	Town Clerk - Association/D	20.00	297	838.95		8,387	7,952.48	
	A00-5.1410.404	Town Clerk - Books/Publica	2,665.00	0	2,665.00-	Y	8,387	7,952.48	
	A00-5.1620.405	Buildings - Information Te	1,425.74	194,500	88,240.99		270,130	120,877.63	
	A00-5.1620.424	Buildings - Internet	67.80	2,150	1,142.00		270,130	120,877.63	
	A00-5.1620.440	Buildings - Repairs	17.85	5,000	782.31		270,130	120,877.63	
	A00-5.1640.411	Central Garage - Town Veh	386.98	2,500	2,907.49-	Y	73,000	31,929.67	
	A00-5.1670.401	Central Printing - Office	8.49	3,000	2,955.52		42,300	29,306.85	
	A00-5.3120.400	Police - Contractual	420.30	49,065	18,838.78		542,663	507,590.26	
	A00-5.3120.401	Police - Office Supplies	416.40	12,785	9,108.38		542,663	507,590.26	
	A00-5.3120.402	Police - Seminars/Conferen	4,920.41	24,725	18,148.35		542,663	507,590.26	
	A00-5.3120.404	Police - Books/Publication	641.27	7,585	4,156.92		542,663	507,590.26	
	A00-5.3120.405	Police - Info Tech/Electro	649.37	10,250	4,077.42		542,663	507,590.26	
	A00-5.3120.409	Police - Postage	308.97	1,200	745.21		542,663	507,590.26	
	A00-5.3120.412	Police - Vehicle Repair	5,473.04	94,541	130,537.45		542,663	507,590.26	
	A00-5.3120.421	Police - Phone	532.56	30,600	21,757.99		542,663	507,590.26	
	A00-5.3120.446	Police - Maintenance Contr	981.05	53,272	37,325.75		542,663	507,590.26	
	A00-5.3120.448	Police - Uniforms & Cleani	502.26	47,974	32,450.43		542,663	507,590.26	
	A00-5.3120.464	Police - Protection Gear	221.02	28,371	29,317.48		542,663	507,590.26	
	A00-5.3120.465	Police - Forensic	735.80	13,062	19,986.49		542,663	507,590.26	
	A00-5.5132.400	Garage - Miscellaneous	16.26	1,250	753.67		68,264	36,179.33	
	A00-5.5132.405	Garage - Information Techn	119.99	8,033	3,479.04		68,264	36,179.33	
	A00-5.5132.426	Garage - Dumpster	481.89	5,957	3,065.66		68,264	36,179.33	
	A00-5.5132.446	Garage - Maintenance Contr	230.00	2,150	1,329.20		68,264	36,179.33	
	A00-5.7310.402	Recreation -Seminars/Confe	1,720.16	5,200	3,439.84		82,750	73,415.71	
	A00-5.7310.408	Recreation - Printing & Ad	14.99	5,700	6,045.99		82,750	73,415.71	
	A00-5.7310.410	Recreation - Program Expen	1,774.21	64,000	59,667.61		82,750	73,415.71	
	A00-5.8810.400	Cemeteries - Contractual	132.78	3,500	3,367.22		3,500	3,367.22	
	B00-5.3620.401	P & D - Office Supplies	55.12	2,000	1,595.21		109,070	88,938.97	
	B00-5.8020.401	Planning - Office Supplies	13.28	300	286.72		21,400	10,497.53	
	B00-5.8020.408	Planning - Advertising	77.81	600	278.15		21,400	10,497.53	

Zone Change Application

From Restricted Agriculture (RA) to Industrial (I)

For:

CENTRAL NEW YORK INLAND PORT
TOWN OF MANLIUS, NY

Prepared for:

3Gi CPO
360 ERIE BOULEVARD EAST
SYRACUSE, NY 13202

Prepared by:

NAPIERALA CONSULTING
PROFESSIONAL ENGINEER, P.C.
SITE • DESIGN • ENGINEERING
110 FAYETTE STREET
MANLIUS, NEW YORK 13104
Telephone: (315) 682-5580
Fax: (315) 682-5544

April 2021

EXECUTIVE SUMMARY

A. INTRODUCTION

3Gi CPO Inc. (3Gi) is the leading private entity responsible for the development of the Central New York Inland Port (CNYIP), which will offer increased opportunities for importing and exporting by providing infrastructure for dedicated international intermodal service to and from the Port Authority of New York and New Jersey (PANYNJ). By increasing the amount of materials that are transported via rail relative to the amount transported by truck, the project will contribute to more efficient use of energy and reduction in greenhouse gas emissions while enhancing the import/export markets in NYS. 3Gi's inland port will be integrated into the existing Dewitt Rail Yard located south of Kirkville Road between Girden Road and Fremont Road in the Town of Manlius. The Dewitt Rail Yard has been operated by CSX since 1857 and is located along a route that extends from Boston to Cleveland. The rail yard and subject site is on a Class 1 railroad, is a part of the NYS Transportation Master Plan, and is also within the Federal Intermodal Corridor, making the project eligible for federal funding. In 2018, New York State funded $19 million to CSX to make improvements to the DeWitt Rail Yard in order to allow for international container service, which will commence in September of 2019. By developing a functional CNYIP, 3Gi plans to take advantage of the economic opportunity presented by international container service and therefore provide numerous socioeconomic and environmental benefits to the Central New York region.

B. FACILITY OPERATIONS

The inland port will be set up to provide management of incoming and outgoing cargo for the Dewitt Rail Yard, where there is none today. CSX is in the business of transporting cargo; they do not manage cargo once it reaches its destination. The inland port will store, organize, coordinate, distribute, and manage the cargo from the transporter to and from the manufacturer and the buyer. The establishment of an effective inland port will start with the development of an international container yard for CSX containers. The container yard will take in off-loaded international containers, store them in a yard, and mitigate the truck transport of the containers to their final destination. The container yard will also take in empty containers and coordinate their distribution to Central New York exporters for filling. Once they are loaded with product, the containers will be returned to the CNYIP for export via rail back to the PANYNJ for international distribution on container ships.

Future expansion of inland port is unknown at this time but could potentially include the development of on-site warehousing for the short-term aggregation of products and the infrastructure required to coordinate the exporting of those products. It could also include the laying of track inside the 3Gi CPO owned property, enabling CSX to switch the rail cars into the 3Gi operated container yard and thereby allow for the control of export loading and the ability to aggregate large numbers of containers to be shipped on the same train.

C. ENVIRONMENTAL IMPACT

The implementation of a Central New York Inland Port will have a positive impact on the environment. Currently, CNY exporters have to transport their goods via truck (tractor trailer) down and through New York City to the PANYNJ. Not only is truck transport more expensive (greater than 5 times the cost of rail transport), but it is harmful to the environment due to excessive carbon emission from the trucks. Rail transport has significantly lower carbon emissions and therefore a smaller environmental impact.

Adjacent to the proposed site there are several NYSDEC freshwater wetlands and a FEMA 100-year floodplain area. The proposed project will avoid much of the jurisdictional wetland areas and only require a small impact for the road extension from the container yard to Kirkville Road. The project will include properly sized stormwater mitigation basins to mitigate any effects to storm water runoff conditions resulting from the proposed development.

D. TRAFFIC IMPACT

As it exists today, the main route for international truck traffic that is entering or exiting the CSX operated DeWitt Rail Yard is via North Central Avenue and Fremont Road. Beginning in September of 2019, CSX will use this existing route for all international cargo transportation by truck. The long-term plan for the CNYIP is to reroute this truck traffic through the 3Gi site onto Girden Road before accessing Kirkville Road. This will alleviate the potential

traffic burden from the prospective increase in international container service, thus avoiding the two schools and residential neighborhood located along Fremont Road. The traffic improvement proposed by 3Gi is a great enhancement to the existing condition.

The intersection of Girden Road and Kirkville Road is only a three quarter-mile drive to Interstate 481. The connection to the NYS Thruway (Interstate 90) is only two miles north of this point and is only another 6 miles from Interstate 81. Therefore, from the future road improvement on Girden Road, international cargo will have a direct connection from the CSX railroad to the entirety of New York State, the northeastern United States, and eastern Canada.

E. PROJECT BENEFITS

The CNYIP has many potential socio-economic and environmental benefits to the Central New York Region. The greatest positive outcome is the prospective economic growth that would accompany a reduction in shipping costs associated with a shift from importing and exporting by truck to rail. Many businesses within the CNY region have indicated that transportation costs are a significant cost of sales and consideration in their growth potential as well as retaining their business in NYS. Additionally, the long-term shift to importing and exporting by rail will result in a reduction in emissions of greenhouse gases through a decrease in tractor trailers on NYS roadways.

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1.0 PROJECT SUMMARY

1.1 BACKGROUND

3Gi CPO Inc. (3Gi) is an intermodal infrastructure company committed to advancing global opportunities for importing and exporting goods. The goal of 3Gi is to embrace Third Generation Intermodal (3Gi) concepts and apply them to infrastructure projects that advance the foundation for the United States to compete in the global economy. 3Gi is the leading private entity responsible for the development of the Central New York Inland Port (CNYIP), which will offer increased opportunities for importing and exporting by rail in the Central New York region. The CNYIP will accomplish this by providing infrastructure for dedicated international intermodal service to and from the Port Authority of New York and New Jersey (PANYNJ).

Over the past decade, immense structural changes have been made to the Panama Canal, including the deepening and widening of the channel to allow for larger cargo ships to pass through. As a result of these improvements, the canal is now able to support passage of the world's largest cargo ships from Asia to the eastern coast of the United States. The Port Authority of New York and New Jersey (PANYNJ) has improved and expanded its infrastructure to allow for the docking and loading of these large capacity ships. These massive structural changes in international shipping routes and supporting infrastructure have greatly increased New York's accessibility to the international trade market. By increasing the amount of materials that are transported via rail relative to the amount transported by truck, the project will contribute to more efficient use of energy and reduction in greenhouse gas emissions. The 3Gi CNYIP business model will minimize costs and shipping times, maximize profits, and enhance the import/export markets in NYS.

1.2 PROJECT LOCATION

3Gi's Central New York Inland Port will be integrated into the existing Dewitt Rail Yard located in the Town of Manlius, Onondaga County, New York. The Dewitt Rail Yard is operated by CSX, a Class 1 Freight Railroad. 3Gi owns/controls approximately 200 acres of property that is adjacent to the existing rail yard. The subject property is located to the south of Kirkville Road between Girden Road and Fremont Road. This property will be utilized to expand into and facilitate the operations of an international inland port. The property is not only a part of the NYS Transportation Master Plan, but is also within the federally designated National Highway System Intermodal Corridor, and is therefore eligible for federal funding.

The Class 1 Rail that the CNYIP will be located on runs from the PANYNJ and Boston west to Cleveland. This is known as the Water Level Route because it runs parallel with the Hudson River and Erie Canal and thus provides minimal elevation changes. On the Water Level Route, also known as the Main Line, average travel speeds can be increased and international cargo containers can be stacked two-high, optimizing route efficiency.

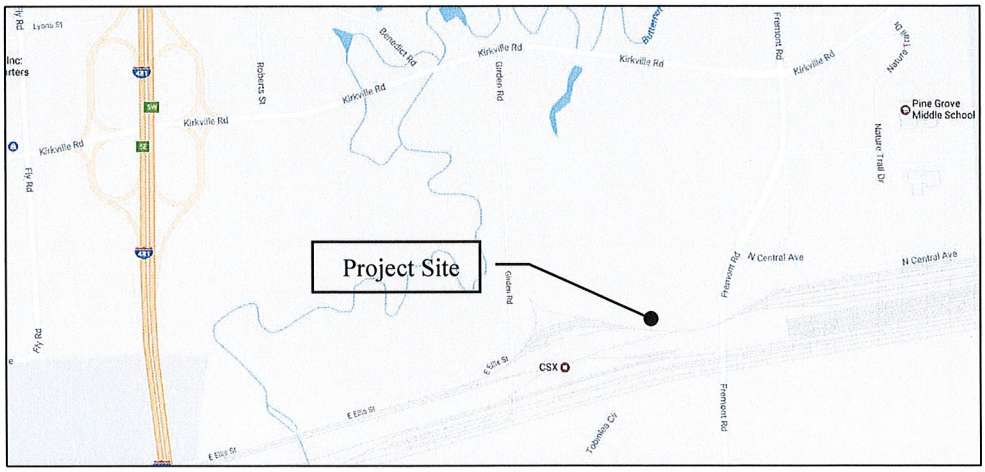


Figure 1. Location Map of Project Site

1.3 BUSINESS RELATIONSHIPS

NYS ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (NYSERDA)

The New York State Energy Research and Development Authority (NYSERDA) is a NYS program that promotes energy efficiency and the use of renewable energy resources. The overall goal of the program is to reduce greenhouse gas emissions and to accelerate economic growth. NYSERDA partners with businesses such as 3Gi in order to cooperatively develop and foster conditions that will attract private sector capital investment while enabling New York communities to benefit from improved energy efficiency. Transportation by rail is a much more efficient form of transportation when compared to trucking and therefore presents a great opportunity to reduce statewide greenhouse gas emissions, making the project an ideal candidate for partnership with NYSERDA.

1.4 ECONOMIC DRIVERS & ADVANTAGES

The cost of transporting goods by truck has grown significantly, as well as increased limitations of the trucking industry in its practices and overall capacity. Reliance on trucking for transportation of goods over past decades has proven to be less efficient, costlier, and has negative impacts on highway and transportation maintenance and safety. This issue is further compounded by a shortage of skilled drivers. The effective use of rail in US shipping will increase profitability and improve US economics. The Dewitt Rail Yard has been operated by CSX since 1857 and is located along a Class 1 railroad known as the Main Line, which runs from the PANYNJ and extends east to west from Worcester, MA (45 miles west of Boston) to Chicago, Illinois. The CNYIP is located adjacent to the CSX Dewitt Rail Yard, which is the first stop for CSX on the Main Line and therefore only a few hours from the PANYNJ. This proximity to the greater New York City area via rail allows for the potential of a major positive economic impact to the CNY region through the construction of an inland port. With regional importers surrounding the inland port, the cost of sales for the region can be significantly reduced by lowering the overall cost of transportation. Additionally, regional agriculture exporters will have easier access to international markets.

There are major challenges associated with the recent opening of the Panama Canal Third Lock and arrival of large capacity Panamax ships at the PANYNJ. First and foremost is the ever-increasing congestion of trucks in queue for unloading and loading. The CNYIP addresses this challenge by moving international containers that are currently transported by truck to the more efficient mode of transportation: trains. International containers can be directly loaded off the ships onto CSX rail for inland distribution, thus eliminating the need for CNY importers and exporters to truck to the PANYNJ.

The second challenge that is addressed by the CNYIP is the diminishing availability of real estate within reasonable proximity to the PANYNJ. A widespread increase in lease rates on the limited warehousing space in the greater NYC area has created a demand for land within reasonable travel distance to the PANYNJ. The Dewitt Rail Yard is the first stop for CSX on the Main Line and therefore only a few hours from the PANYNJ. The availability of property within reasonable travel time of the rail yard provides businesses with the opportunity to locate around the CNYIP, making it a magnet for both major importers and exporters.

Until just recently, only domestic container cargo was shipped to the Central New York region via railroad. In 2018, New York State funded $19 million to CSX to make improvements to the Dewitt Rail Yard in order to allow for international container service, which began in September of 2019 and is scheduled to expand in early 2020. The commencement of international container service at the DeWitt Rail Yard equates to an opening of international markets to importers in the CNY region. Additionally, the connection with the Port of Montreal will open up the northern trade market.

Movement of products and goods is integral to the cost of products. The cheapest mode of transportation for producers and manufacturers is via a large container ship. The next most cost effective mode of transport is by train, with the most costly and impactful means of transport being trucking. The ability to reduce transportation costs by switching from trucking to rail will result in major cost savings to both importers and exporters in the area. Agricultural exporters will have access to a larger market at a lower cost, resulting in growth within the industry. By expanding the annual potential to handle upwards of 40,000 to 50,000 international shipping containers by rail directly to and from the PANYNJ, the project will result in improved capacity, profitability, regional growth, public safety, and environmental benefits from reduced CO_2.

1.5 PROJECT PERMITTING

The Container Pooling Operations (CPO) is the first phase of the CNYIP, facilitating its ability to service the increasing regional export opportunities and aggregate exports in order to maximize cargo trains with a minimum of 50 to 100 international export containers. The project will consist of up to a 2-acre pad to provide storage of empty containers that will become available for regional international export opportunities. 3Gi expects that the CPO pad will continue to expand in 2-acre increments over time.

Phase II will be the development of on-site warehousing for the short term aggregation of products. This phase will also include the construction of an access road onto Girden Road, thus directing traffic off of Fremont Road and re-routing it through the 3Gi subject site.

The project will be phased and permitted on a local and state level through the Town of Manlius for Site Plan approval and through New York State for stormwater, floodplain, and wetland mitigation.

1.6 POTENTIAL BENEFITS

The following is a summary of the public benefits that will result by reducing the number of tractor trailers from New York State highways and conversely shipping by rail over an assumed 30-year service life of the project:

1. Highway and Bridge Avoidance Costs: The reduction of the number of tractor trailers on the highways will result in savings of tax dollars used to maintain public roads and bridges over the service life of the project.
2. Highway Congestion Avoidance: A reduction in the number of tractor trailers on New York State Highways will also result in more lane availability and space for motorists and a reduction of congestion.
3. Improved Highway Safety: By reducing the number of tractor trailer traveling on New York State Highways, it is anticipated that there will be a corresponding reduction in the number of accidents with motorists.
4. Noise Pollution Reduction: By reducing the number of tractor trailers on New York Highways, the CNYIP Project will result in a saving to taxpayers through the avoidance of construction noise mitigation structures.
5. Emission Reduction: By reducing the number of tractor trailers on New York State Highways, an avoided emission amount of 1,291 tons of Carbon Dioxide (CO_2) will be realized in the first year with a total of 28,368 tons of avoided CO_2 over the service life of the project.
6. Fuel Efficiency: Data suggests that rail transportation is approximately four (4) times more efficient than tractor trailers. The conversion to rail achieved by the CNYIP Project will result in a savings of 92,625 gallons of diesel fuel in the first year of the project.

Another major benefit is the potential to reduce pricing through the formation of buying groups. Once a large amount of product is being aggregated for export, a buying group can be formed to work with the major freight companies and syndicates to lower pricing for the exporters in the CNY region. The more product that is aggregated, the more cooperative buying power and influence the buying group will have.

3Gi commissioned an independent market analysis in July 2012 of CNY importers and exporters to determine the economic benefits for businesses. The data collected includes the following:

- 80% indicated the CNYIP would have a moderate to significant positive impact on their business.
- 53% indicated the increased availability of empty containers and more cost-effective shipping options would have a moderate to significant impact on their export potential.
- 73% indicated that the CNYIP would have moderate to significant job growth and/or retention potential on New York State businesses that import or export.
- 93% indicated they thought the CNYIP would have a moderate to significant positive impact on businesses overall in New York State.

In 2014 and 2015, an additional analysis was conducted by 3Gi CNYIP, Inc. at the request of CSX, to identify importers and exporters in a 50-mile radius. This was done to identify where importers and exporters would match up (by zip code) for container maximization. A total of 176 importers and exporters as well as 35 trade associations were directly visited for input on their actual container volume currently being transported by truck. This sampling alone, tallied up over 20,000 containers being trucked that could convert to rail transportation, saving costs, vehicle miles traveled, and CO_2 reduction. Many of these businesses indicated that transportation costs were a significant cost of sales and consideration in their growth potential as well as retaining their business in NYS.

2.0 ENVIRONMENTAL CONSIDERATIONS

2.1 IMPACT ON LAND

The proposed project will involve the construction of roads, staging areas and a containing pooling yard.. The impervious area will consist of asphalt pavement, and crushed stone container pads. The land being developed is at a fairly consistent slope and grass/shrub land cover. The involved construction for the proposed action will not be on slopes of 15% or greater and will not be on land where bedrock is exposed. Through of the phases, there will not be more than a 1,000 tons of natural material excavated and removed. This proposed action will not cause increases in erosion around the disturbed area and is not located within a Coastal Erosion hazard area.

2.1.a VEGETATION

A majority of the land being developed was previously cleared of all trees as fallow agricultural land and now has a consistent grass cover throughout. A majority of the development will not disturb large amounts of vegetation; however, the access roads into the site from Fremont Road and from Girden Road will involve the clearing of some forested area. These two access roads will also require permitting for the disturbance of land within the 100-year floodplain and DEC freshwater wetlands.

2.1.b SOILS

A majority of the soils found on the project site are classified in the NRCS Soil Map as Niagara silt loam, which is in hydrologic soil group C/D. This indicates that the soils present on site are poorly drained if undeveloped. The NRCS Soil map can be viewed in Appendix E.

2.1.c GROUNDWATER

The impact on groundwater for this project will be negligible. All improvements are on the surface with no planned sub-surface infrastructure for the development. Boring tests have not been performed to determine the average depth to groundwater across the site. This project will not result in new or additional use of ground water, or have the potential to introduce contaminates to the groundwater.

2.2 IMPACT ON GEOLOGIC FEATURES

The proposed action will not result in any modifications or destruction of, or inhibit access to, any unique or unusual land forms. No geologic features are located on the project site.

2.3 IMPACT ON SURFACE WATER

There are no open surface waters located on the project site. The closest water body in proximity to the property is Butternut Creek, which is located on the west side of Girden Road. There are currently no plans to develop on the west side of Girden Road; therefore the project will not impact any surface waters.

2.3.a FRESHWATER WETLANDS

Freshwater wetlands are located on the western portion of the project site to the immediate east of Girden Road. A Wetland Delineation/Determination Report was prepared in November of 2015 to analyze the types of wetlands present and the extents of their boundaries within the subject site. It was concluded that a wetland/upland woodland complex exists on-site which was confirmed via field work after having been initially identified in the NYSDEC and

National Wetlands Inventory Maps. The exact boundaries of the wetland can be viewed in Appendix C. The impact to the on-site wetlands will be minimal. Perm Road 1 and Perm Road 2 will both require several smaller wetland crossings. The permitting and location of these crossings will be coordinated with the NYSDEC.

2.3.b SOIL EROSION

The soils identified on site, Niagara silt loam, has an erosion factor (k) of 0.49, giving it an above average susceptibility of sheet and rill erosion if left exposed. However, the development of this site is on a relatively flat area with no steep slopes and no large lawn areas that would be left disturbed for long periods of time. An effective erosion and sediment control plan would minimize any potential for above average erosion on site.

2.4 IMPACT ON FLOODING

The northwestern portion of the site is located within the 100-year floodplain according to the National Flood Hazard mapping by FEMA. The only portion of the development which is located in the 100-year floodplain is the access road which connects to Girden Road. A large portion of the site is located within the 500-year floodplain, giving a 0.2% chance of flooding, which does not warrant mitigation through compensatory volume. The floodplain map can be viewed in Appendix F.

2.5 IMPACT ON AIR

The development will have a negligible effect on air quality surrounding the site. The only source of emissions on-site will be from the truck traffic through the project site. On a large scale, the increase in shipments by rail will decrease the number of tractor-trailers utilized for cargo transport, and will have a positive effect on overall air quality via a reduction in greenhouse gas emissions.

2.6 IMPACT ON PLANTS & ANIMALS

In the area of the proposed action, the Northern Long-Eared Bat is known to inhabit forested ecosystems. Coordination will need to be done with the NYSDEC to ensure that any tree clearing that will be performed for the construction of the access roads will be done at the correct time of the year so as to not disturb any potential hibernacula.

2.7 IMPACT ON AGRICULTURAL RESOURCES

There is no impact on any agricultural resources in the proposed area. The proposed site is not an active agricultural field and is not a designated agricultural soil region.

2.8 IMPACT ON AESTHETIC RESOURCES

There are no aesthetic resources located on the project site.

2.9 IMPACT ON HISTORIC AND ARCHEOLOGICAL RESOURCES

The proposed action does not occur in or adjacent to a historic or archaeological resource.

2.10 IMPACT ON OPEN SPACE & RECREATION

The development of this project will not result in the loss of recreational opportunities or a reduction of open space resources as designated in any adopted municipal open space plan.

2.11 IMPACT ON CRITICAL ENVIRONMENTAL AREAS

The proposed action is not located within or adjacent to a critical environmental area.

2.12 IMPACT ON TRANSPORTATION

Initially, the site will be accessed via Temp Road 1 off of Fremont Road. At the commencement of Phase 2, a main access to the site will be developed off of Girden Road on the south side of Kirkville Road (either Perm Road 1 or

Perm Road 2). A traffic impact study has been compiled for the potential traffic volume accessing the site to and from Girden Road off of Kirkville Road. It was concluded that the proposed development will be a minor traffic generator with less than 20 total vehicles entering or exiting during each peak hour. A detailed analysis of the trip generation estimate and distribution can be viewed in Appendix D.

2.13 IMPACT ON ENERGY

The proposed action will have a small increase in the use of energy. The main source of energy usage will be from the proposed refrigerated storage warehousing. Additionally, the warehouse buildings and access drives will require necessary pole-mounted and building-mounted site lighting. This will not require a new or upgraded substation and does not require an extension of an energy transmission or supply system. This will not utilize more than 2.5 MWhrs per year of electricity.

2.14 IMPACT ON NOISE, ODOR & LIGHT

The proposed action will not result in an increase in sounds or odors, but there will be an increase in outdoor lighting once the project is completed. The foot-candles of the proposed site lighting will not shed onto adjacent properties and will not create sky-glow brighter than existing area conditions; all proposed lighting will be dark-sky compliant.

2.15 IMPACT ON HUMAN HEALTH

There will be no impact to human health and will not create any exposure to any sources of contamination.

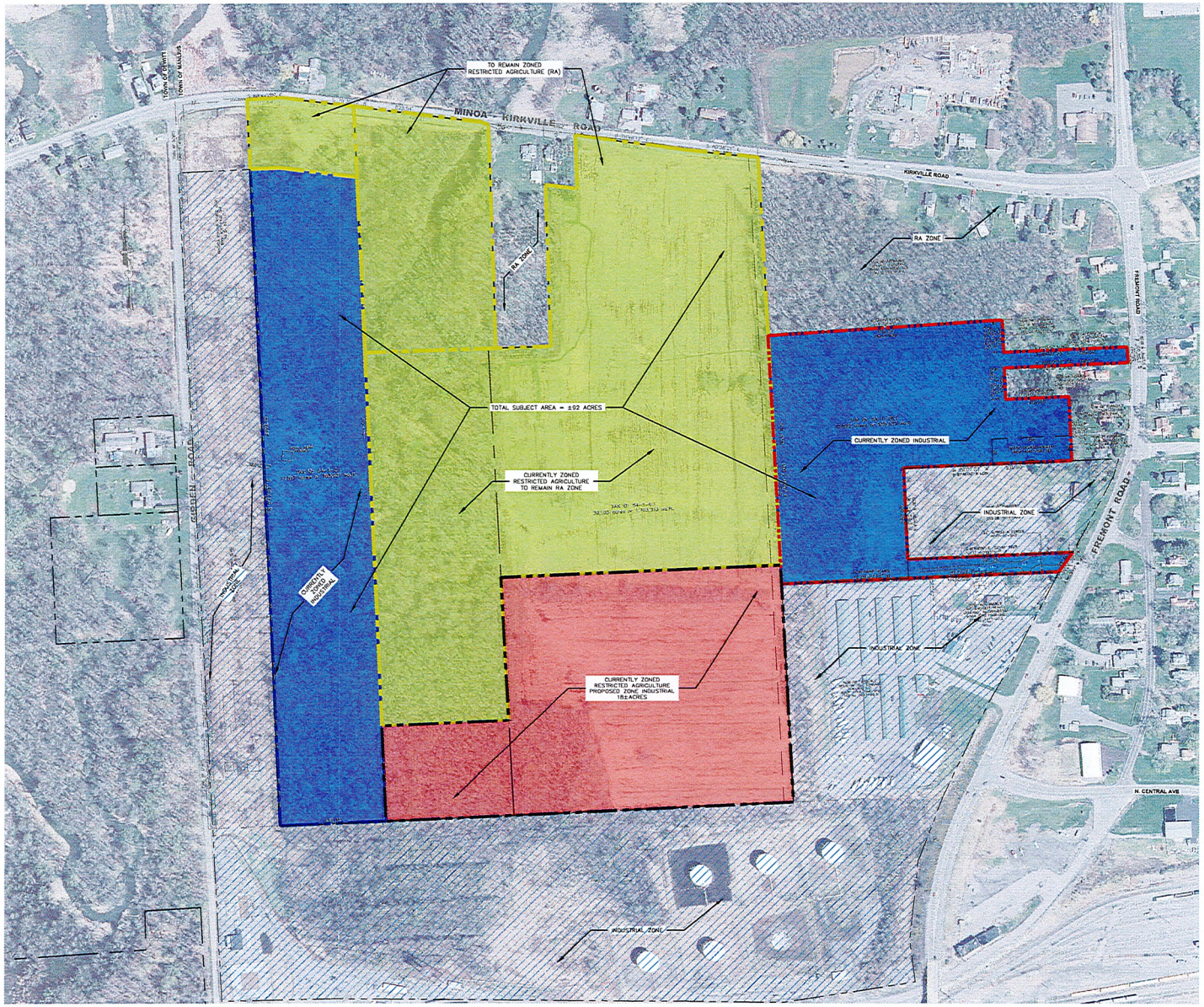
2.16 CONSISTENCY WITH COMMUNITY PLANS

The subject property is currently within the town's restricted agricultural zoning district. This will need to be changed to an industrial zone to allow for the inland port and container yard construction and operation. Being that the property is directly adjacent to the CSX rail yard and also that the warehousing being proposed will likely store a large amount of agricultural products, the development of this property into an inland port seems like a very logical step.

2.17 CONSISTENCY WITH COMMUNITY CHARACTER

Given the surrounding land usage and the immediate proximity to the CSX rail yard and train tracks, the development of this property into an inland port makes sense from a community character standpoint.

APPENDIX A
SITE PLANS



1 SK-1 PROPOSED ZONE CHANGE PLAN
SCALE: 1"=150'

LEGEND

- PROPERTY LINE
- ZONED RESTRICTED AGRICULTURAL (RA), PROPOSED INDUSTRIAL ZONE
- ZONED INDUSTRIAL (I)
- TO REMAIN RESTRICTED AGRICULTURAL ZONING (RA)

GRAPHIC SCALE
0 150' 300'
(IN FEET)
1 inch = 150 ft

PRELIMINARY
FOR PLANNING PURPOSES
ONLY, NOT FOR CONSTRUCTION.

PROJECT TITLE: PROPOSED CPO FACILITY GIRDEN ROAD
TOWN OF MANLIUS ONONDAGA COUNTY, NY

PREPARED FOR: THIRD GENERATION INTERMODAL (3GI)
306 ERIE BOULEVARD EAST
SYRACUSE, NY 13202

SHEET TITLE: CNYIP ZONE CHANGE PLAN

NO.	REVISION/ISSUE	DATE

PREPARED BY:
NAPIERALA CONSULTING
PROFESSIONAL ENGINEER P.C.
SITE • DESIGN • ENGINEERING
110 FAYETTE STREET
MANLIUS, NEW YORK 13104
email: NRA@NAPCON.COM
PH: (315) 682-5860 FAX: (315) 683-5544

DWG BY: MATTHEW R. NAPIERALA, P.E.
NAPIERALA CONSULTING

PROJECT NO.: 17-1588
DATE: 9 SEPT 2020
SCALE: 1"=150'

SHEET: SK-1

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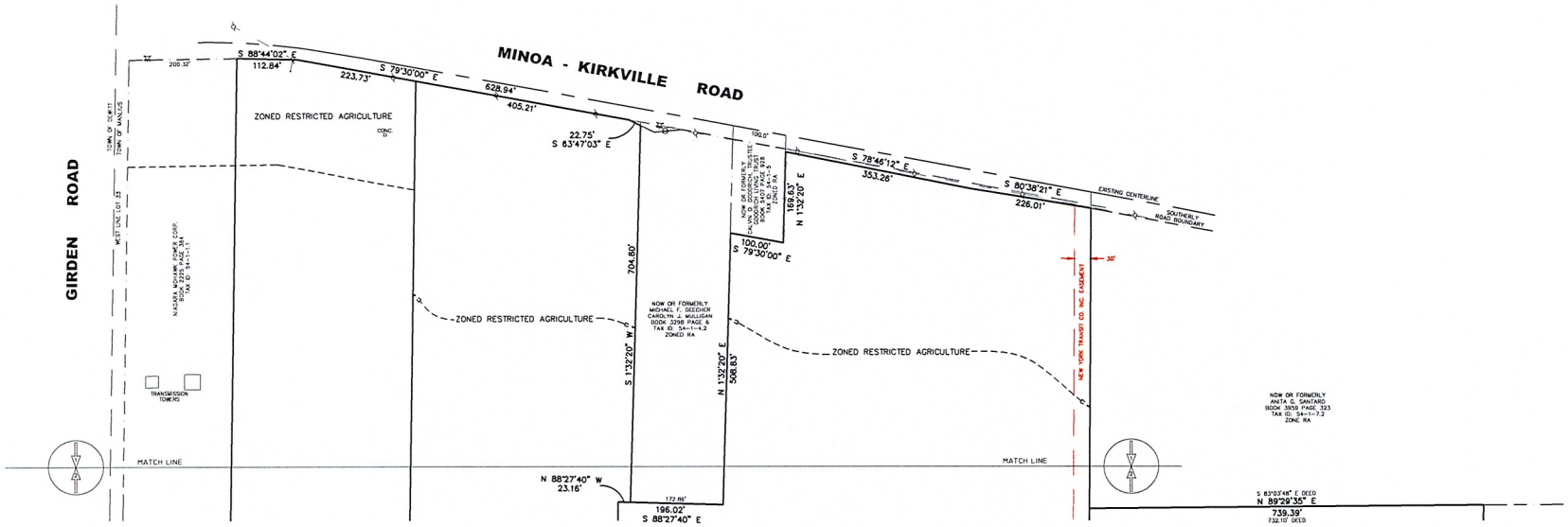
LEGEND:
- UTILITY POLE
- GUY WIRE
- OVERHEAD WIRES
- MANHOLE
- FIRE HYDRANT
- CHAIN LINK FENCE



ZONE CHANGE MAP
LANDS OF
3GI CNYIP, INC.

SHEET 1 OF 2

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Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law

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Survey prepared without the benefit of an abstract.

Location surveys do not include the staking of the property corners except as shown.

No.	DATE	DESCRIPTION	BY
1	1/9/2020	CLIENT COMMENTS	WJH
2	4/21/21	ZONE CHANGE ONLY	WJH

LEHR
LAND SURVEYORS D.P.C.
116 SALINA STREET – SUITE 6
LIVERPOOL, NEW YORK 13088
315-451-3333
info@nylandsurveyors.com

I HEREBY CERTIFY THAT THIS IS AN ACCURATE MAP MADE FROM AN ACTUAL SURVEY.

LICENSED LAND SURVEYOR
DOUGLAS R. LEHR NYSLS 49223

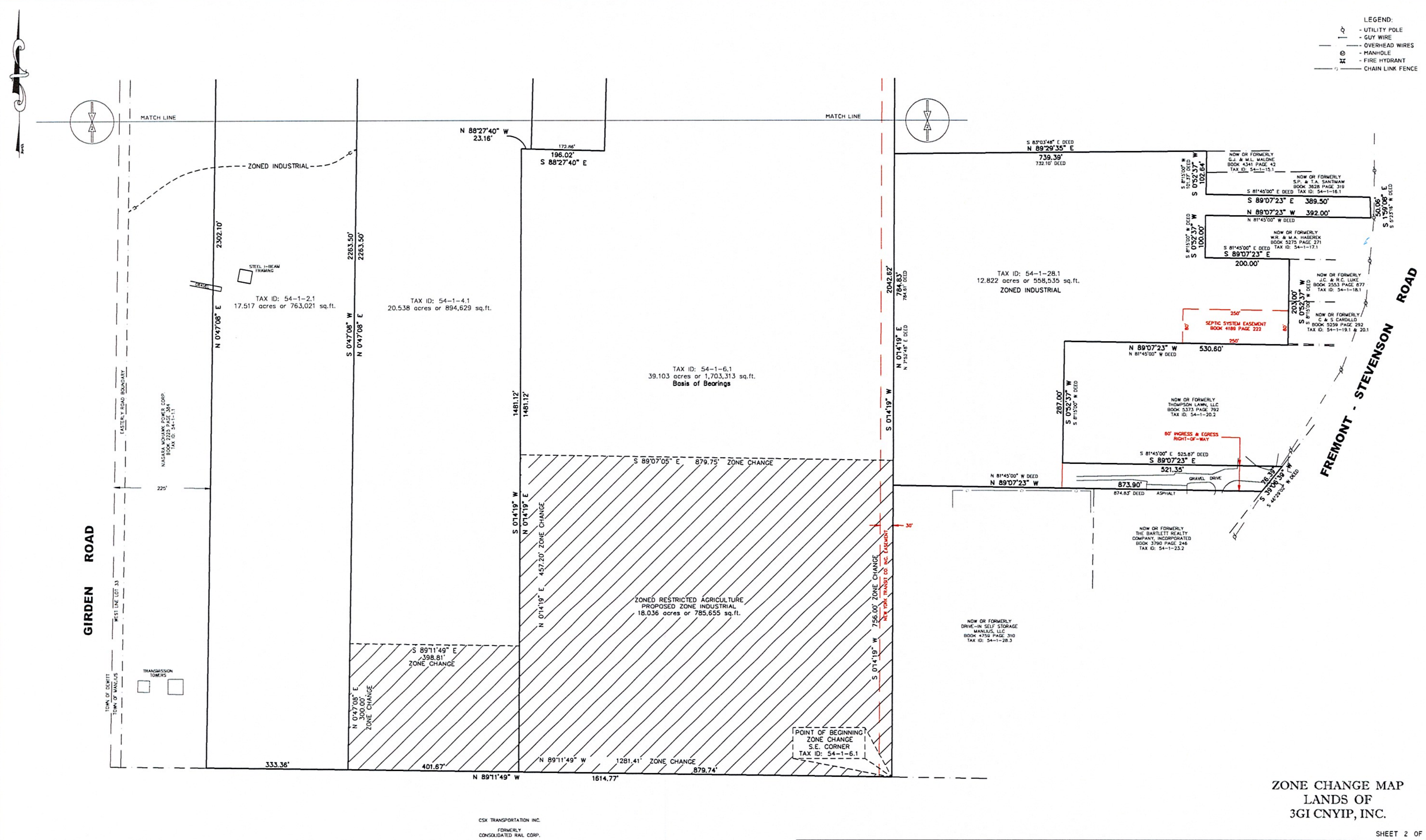
LOCATION SURVEY ON PART OF LOT No.33.
TOWN OF MANLIUS

KNOWN AS MINOA-KIRKVILLE ROAD, TOWN OF MANLIUS, COUNTY OF ONONDAGA, NEW YORK

FIELD DATE:	MAP DATE:	SCALE:	DRAWN BY:
26 NOV 2019	3 DEC 2019	1"=100'	WJH

REVISIONS:

DRAWING No. 19-J-67 *D* *1*



ZONE CHANGE MAP
LANDS OF
3GI CNYIP, INC.

SHEET 2 OF 2

No.	DATE	DESCRIPTION	BY
1	1/9/2020	CLIENT COMMENTS	WJH
2	4/21/21	ZONE CHANGE ONLY	WJH

LEHR LAND SURVEYORS D.P.C.
116 SALINA STREET - SUITE 6
LIVERPOOL, NEW YORK 13088
315-451-3333
info@lehrlandsurveyors.com

I HEREBY CERTIFY THAT THIS IS AN ACCURATE MAP MADE FROM AN ACTUAL SURVEY.

LICENSED LAND SURVEYOR
DOUGLAS R. LEHR NYSLS 49223

LOCATION SURVEY ON PART OF LOT No.33, TOWN OF MANLIUS

KNOWN AS MINOA-KIRKVILLE ROAD, TOWN OF MANLIUS, COUNTY OF ONONDAGA, NEW YORK

FIELD DATE: 28 NOV 2019 | MAP DATE: 3 DEC 2019 | SCALE: 1"=100' | DRAWN BY: WJH

REVISIONS:

DRAWING No. 19-J-67

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Survey prepared without the benefit of an abstract.

Location surveys do not include the staking of the property corners except as shown.

APPENDIX B
ZONE CHANGE APPLICATION

TOWN OF MANLIUS
ZONE CHANGE APPLICATION

1. Name of Person applying for Zone Change 3Gi (Contact: Chris Beck)
   Address of person applying 360 Erie Boulevard East, Syracuse, NY 13202
   Cell Number (315) 269-7767 Phone Number (315) 849-0898
2. Name: (owner of record) of land where Zone Change would occur 3Gi CPO Inc.
   Address (owner of record) 360 Erie Boulevard East, Syracuse, NY 13202
   Cell Number (owner of record) _____ Phone Number (315) 849-0898
3. Tax Map Number of property where Zone Change would occur 054.-01-06.1 & 54.-01-4.1,
4. Is this property located in a flood hazard area? Yes
   If so, what flood area is the property in it in?
   100-Year Floodplain
5. Present zoning classification of property Restricted Agricultural & Industrial
6. Desired zoning classification Industrial
   Reason for Change of Zone (use additional sheets if necessary) Lots to the east, south, and west under common ownership are industrial zoned. A zone change would provide consistent zoning for the parcels in common ownership and would allow for the proposed future use of a container pooling yard and inland port as a natural extension of the CSX rail yard
7. What is lot size? Four (4) parcels totaling 75.7 total 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? Yes
    If yes, please specify The center line of Girden Road is the Town of DeWitt boundary.
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? Yes

If yes, please specify Pine Grove Middle School

12. List the uses of all abutting property Residential properties, the CSX rail yard, a self-storage unit facility, and vacant forested/wetland area.

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.

3G: CNYIP, Inc.

Date 8 April 2021

By: Richard C Rea
Applicant 1
CEO

Date _____

_____
Applicant 2

Date _____

_____
Applicant

Revised 5/8/17

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. Eckardt C. Beck being duly sworn, deposes and says that (s) he is:
CEO of 3Gi CNYIP, Inc. (Applicant)
(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: April 9, 2021 _____.

Eckardt C. Beck
(Print Name)

(Signature)

36: CNY IP, Inc.
(Entity Name)

Eckardt C. Beck, Chief Executive Officer
By (Officer) (Title)

360 Erie Boulevard East, Syracuse, NY 13202
(Mailing Address of Applicant)

(315) 269-7767
(Telephone Number)

Date: _____, 20_____.

(Print Name)

(Signature)

(Entity Name)

By (Officer) (Title)

(Mailing Address of Applicant)

(Telephone Number)

ACKNOWLEDGEMENTS

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

On this 9 day of April in the year 20 21, before me, the undersigned, a notary public in and for said state, personally appeared Eckardt C. Beck, _____, 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.

Notary Public

BRENDAN V. COTTER
Notary Public, State of New York
No. 02CO6152108
Qualified in Oneida County
My Commission Expires August 28, 2022

Lehr Land Surveyors D.P.C.
Land Surveying & Planning

Suite 6
116 Salina Street
Liverpool, New York 13088
315-451-3333
FAX: 315-451-3392
EMAIL: info@lehrlandsurveyors.com

April 22, 2021

Surveyor's Description
Portion of Tax Id: 54-1-4.1 and 6.1
Town of Manlius

RE: Minoa-Kirkville Road (Proposed Zone Change to Industrial)

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Manlius, County of Onondaga and State of New York and being Lot No.33 in said Town, and being more particularly described as follows:

BEGINNING at the southeasterly corner of Tax Id: 54-1-6.1, said point being the southwesterly corner of land now or formerly owned by Drive-In Self Storage Manlius, LLC as recorded in the Onondaga County Clerk's Office in Book 4759 of Deeds, Page 310 and also being on the northerly line of lands now or formerly owned by CSX Transportation Inc.;

thence S 89°11'49" W., along the northerly line of said CSX Transportation Inc., a distance of **1281.41 feet** to the southwesterly corner of Tax Id: 54-1-4.1;

thence N 0°47'08" E., a distance of **300.00 feet** to a point;

thence S 89°11'49" E., a distance of **398.81 feet** to a point;

thence N 0°14'19" E., a distance of **457.20 feet** to a point;

thence S 89°07'05" E., a distance of **879.75 feet** to a point;

thence S 0°14'19" W., a distance of **756.00 feet** to the point of beginning.

Containing 18.036 acres or 785,655 square feet of land more or less.

The hereinbefore described parcel of land is subject to any and all easements and/or rights-of-ways of record.

APPENDIX **C**
SHORT ENVIRONMENTAL ASSESSMENT FORM

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:
3Gi CPO, Inc. Zone Change Request for property adjacent to the CSX DeWitt Rail Yard

Project Location (describe, and attach a location map):
Town of Manlius - Industrial corridor adjacent to the CSX Dewitt train yard

Brief Description of Proposed Action:
The project will involve the zone change for portions of two (2) parcels adjacent to the CSX rail yard. Tax Parcel 54.-1-6.1 & 54.-1-4.1

Name of Applicant or Sponsor:	Telephone: 315-269-7767
3Gi-CNYIP (Contact: Chris Beck)	E-Mail: ebeck@synapsellc.com

Address:
360 Erie Blvd East

City/PO:	State:	Zip Code:
Syracuse	NY	13202

	NO	YES
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.	☑	☐
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: Zone Change - Town Board of Manlius, Manlius Planning Board Referral, SOCPA Approval	☐	☑

3. a. Total acreage of the site of the proposed action? 92 acres
   b. Total acreage to be physically disturbed? 3.5 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 92 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

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations? (w/ proposed zone change to industrial)	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☑

	NO	YES
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? If Yes, identify: _____	☑	☐

	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
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?	☑	☐

	NO	YES
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	☐	☑

	NO	YES
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	☑

	NO	YES
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☑	☐

	NO	YES
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?	☑	☐
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?	☑	☐

	NO	YES
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?	☐	☑
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

	NO	YES
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?	☐	☑
16. Is the project site located in the 100-year flood plan? overall project property is within 100yr flood The zone change area is outside the flood plain	☐	☑
17. Will the proposed action create storm water discharge, either from point or non-point sources?	☑	☐
If 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:		
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:	☑	☐
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:	☑	☐
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:	☑	☐

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: MATTHEW R. NAPIERALA, P.E. Date: 9 APRIL 2021

Signature: Matthew R. Napierala Title: PROFESSIONAL ENGINEER FOR OWNER

PRINT FORM

IN THE MATTER

Of

A LOCAL LAW 2021-___ TO AMEND THE TOWN CODE INCREASING THE TERM OF OFFICE OF THE TOWN HIGHWAY SUPERINTENDENT FROM TWO YEARS TO FOUR YEARS

RESOLUTION CALLING FOR A PUBLIC HEARING

The **TOWN BOARD OF THE TOWN OF MANLIUS**, in the County of Onondaga, State of New York, met in regular session 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, and virtually on the platform commonly referred to as Zoom, the Town Facebook page and YouTube on the 9th of June, 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

The following resolution was moved, seconded and adopted:

WHEREAS, a Local Law has been introduced before the Board, to wit: Local Law No. 2021- ____, creating Chapter 3 (“Elective Offices””), Article I to increase the elective office of Highway Superintendent from 2 years to 4 years;

LOCAL LAW 2021-___, A LOCAL LAW CREATING CHAPTER 3 ARTICLE I TO INCRESE THE TERM OF OFFICE OF THE HIGHWAY SUPERINTENDENT FROM TWO TO FOUR YEARS:

Be it enacted by the Town Board of the Town of Manlius, Onondaga County, New York as follows:

Section 1. That a new Chapter 3 entitled "Elective Offices", Article I of the Code of the Town of Manlius, has be adopted as follows:

CHAPTER 3 – ELECTIVE OFFICES

ARTICLE I

HIGHWAY SUPERINTENDENT

§ 3-1 **Statutory authority.**

This article is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York.

§ 3-2 **Increase in term.**

The term of office of the elected Town Highway Superintendent shall be four years. Such four-year term shall commence as of the first day of January 2022 and shall apply to the person elected to such office at the biennial Town election to be held on November 2nd, 2021, and to those elected thereafter, provided that a proposition submitted pursuant to § **3-3** below is approved.

§ 3-3 **Mandatory referendum.**

This article is adopted subject to a mandatory referendum and shall be submitted for approval of the qualified voters of the Town of Manlius at the biennial Town election to be held on November 2nd , 2021. A proposition in the following form shall be included on the ballot at such biennial Town election, and the increased term of office shall not take effect unless such proposition is approved by a majority vote of the qualified voters voting thereon:

> Shall Local Law 2021-___, entitled "A Local Law Increasing the Term of Office of Town Highway Superintendent from Two Years to Four Years," be approved?

§ 36-4 **Supersession of Town Law.**

This article shall supersede Town Law § 24 relating to the term of office for Town Highway Superintendent of the Town of Manlius.

§ 36-5 **When effective.**

This article shall become effective immediately and shall be filed in the office of the Secretary of State within 20 days after approval by the qualified voters.

Section 2. This law shall take effect immediately and will be filed with the New York State Department of State within 20 days after approval by the qualified voters.

WHEREAS, the Town Board desires to hear from the public on Local Law 2021-___ ;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Manlius, County of Onondaga, State of New York, shall hold a Public Hearing on said proposed Local Law 2021-___, and that such Hearing shall be held in person and virtually on the Internet platform commonly referred to as ZOOM, directions for attendance which will be on the Town's Website and such hearing shall take place on the 23rd day of June, 2021 at approximately 6:30 p.m. and be it further

RESOLVED, that the Town Clerk shall give notice of such Public Hearing by the publication of a notice in at least one newspaper circulated in the Town, specifying the time when and the place where such Public Hearing will be held, and in general terms, describing the proposed Local Law. Such notice shall be published once at least five (5) days prior to the 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 9th day of June 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 FURTHER 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 9th day of June , 2021.

DATED: June 9th, 2021
Fayetteville, New York

_____
Allison Weber
Town Clerk of the Town of Manlius
Onondaga County, New York

IN THE MATTER

Of

A LOCAL LAW 2021-___ TO AMEND THE TOWN CODE INCREASING THE TERM OF OFFICE OF THE TOWN CLERK FROM TWO YEARS TO FOUR YEARS

RESOLUTION CALLING FOR A PUBLIC HEARING

The **TOWN BOARD OF THE TOWN OF MANLIUS**, in the County of Onondaga, State of New York, met in regular session 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, and virtually on the platform commonly referred to as Zoom, the Town Facebook page and YouTube on the 9th of June, 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

The following resolution was moved, seconded and adopted:

WHEREAS, a Local Law has been introduced before the Board, to wit: Local Law No. 2021- ____, creating Chapter 3, ("Elective Offices"), Article II, to increase the terms of the elective office of Town Clerk from 2 years to 4 years;

LOCAL LAW 2021-___, A LOCAL LAW CREATING CHAPTER 3 ARTICLE II TO INCRESE THE TERM OF OFFICE OF THE TOWN CLERK FROM TWO TO FOUR YEARS:

Be it enacted by the Town Board of the Town of Manlius, Onondaga County, New York as follows:

Section 1. That a new Chapter 3 entitled "Elective Offices", Article II of the Code of the Town of Manlius, has be adopted as follows:

CHAPTER 3 – ELECTIVE OFFICES

ARTICLE II

TOWN CLERK

§ 3-6 **Statutory authority.**

This article is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York.

§ 3-7 **Increase in term.**

The term of office of the elected Town Clerk shall be four years. Such four-year term shall commence as of the first day of January 2022 and shall apply to the person elected to such office at the biennial Town election to be held on November 2, 2021, and to those elected thereafter, provided that a proposition submitted pursuant to § **3-**8 below is approved.

§ 3-8 **Mandatory referendum.**

This article is adopted subject to a mandatory referendum and shall be submitted for approval of the qualified voters of the Town of Manlius at the biennial Town election to be held on November 2, 2021. A proposition in the following form shall be included on the ballot at such biennial Town election, and the increased term of office shall not take effect unless such proposition is approved by a majority vote of the qualified voters voting thereon:

Shall Local Law 2021-___, entitled "A Local Law Increasing the Term of Office of Town Clerk from Two Years to Four Years," be approved?

§ 36-9 **Supersession of Town Law.**

This article shall supersede Town Law § 24 relating to the term of office for Town Clerk of the Town of Manlius.

§ 36-10 **When effective.**

This article shall become effective immediately and shall be filed in the office of the Secretary of State within 20 days after approval by the qualified voters.

Section 2. This law shall take effect immediately and will be filed with the New York State Department of State within 20 days after approval by the qualified voters.

WHEREAS, the Town Board desires to hear from the public on Local Law 2021-___ ;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Manlius, County of Onondaga, State of New York, shall hold a Public Hearing on said proposed Local Law 2021-___, and that such Hearing shall be held in person and virtually on the Internet platform commonly referred to as ZOOM, directions for attendance which will be on the Town's Website and such hearing shall take place on the 23rd day of June, 2021 at approximately 6:30 p.m. and be it further

RESOLVED, that the Town Clerk shall give notice of such Public Hearing by the publication of a notice in at least one newspaper circulated in the Town, specifying the time when and the place where such Public Hearing will be held, and in general terms, describing the proposed Local Law. Such notice shall be published once at least five (5) days prior to the 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 9th day of June 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 FURTHER 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 9 th day of June, 2021.

DATED: June 9th, 2021
Fayetteville, New York

_____
Allison Weber
Town Clerk of the Town of Manlius
Onondaga County, New York

Town of Manlius

Rules of Decorum at Public Meetings

Last Adopted 1-2-2020

Proposed Update 06-09-2021

This document establishes the procedural rules and decorum guidelines for Town of Manlius public Board meetings both in-person and virtual. The purpose of these rules is to allow for the orderly conduct of Town business that is convenient for the public, fair to all Board Members and, above all else, essential for open, transparent and effective local governance.

Town Board meetings are required to be held in public for the purpose of allowing the public to observe the meetings. New York State law does not require that a Town Board set aside time at regular meetings for public comment, except for the case of public hearings. Public participation is the purpose of a public hearing, which is required prior to the adoption of a local law or ordinance and in other cases, as specified by law.

The Town Board believes that a public comment period should be scheduled for each meeting. However, it believes that it is important that all periods of public input – whether they are public hearings or a public comment period – should abide by a set of rules that are designed to ensure that good order and civility is maintained at meetings. The purpose of the public comment period is to discuss Town business only.

Personal attacks, personal accusations, irrelevant or unduly repetitious communications or other disruptive behaviors that actually disrupt, disturb or impede the orderly conduct of the business of the Board may, at the discretion of the Town Supervisor, incur a warning, recess of the meeting, or other appropriate actions, to allow the Board to resume the orderly conduct of Town business.

Individual problems, concerns or questions of the public should initially be addressed to the Town Supervisor's office, rather than be brought up at Town Board meetings. This will allow the Supervisor to gather the necessary information and /or personnel to address those concerns. If those concerns are not addressed to the satisfaction of the individual, then redress by the entire Town Board may be the next option.

In an effort to help the Town conduct efficient and productive meetings, the Town of Manlius, last adopted these rules on January 25, 2012, *January, 2, 2020 and included here are proposed updates for 06-2-2021*.

OPEN PODIUM /PUBLIC HEARING/PUBLIC INFORMATION MEETING

The Town Supervisor, or in their absence, the Deputy Town Supervisor, is the Chair of every Town Board meeting. As such it is the Town Supervisor's right and responsibility to direct meetings and make decisions that will, in their judgment, inure to the benefit of all those attending.

Except for the case of Public Hearings or special Public Information Meetings, the Open Podium portion of the meeting is the only time when comments will be permitted by the public, unless a person is otherwise recognized by the Town Supervisor. Residents may appear and participate, in-person or virtually.

Open Podium is an opportunity for the public to address Town business. Examples of Town business, include, but are not limited to: action items before the Town Board; information related to Town business and issues or concerns related to Town operations; and issues or concerns related to Town property or infrastructure.

Examples of things that are NOT Town business, include, but are not limited to: private property matters; Village, County, State or Federal issues that do not affect the Town and litigated matters that have been settled to the Town's satisfaction. The Town Supervisor, as Chair of the meeting, shall determine if the matter being discussed is Town business.

Each regular business meeting of the Board will include an Open Podium period, in which any citizen may make a statement regarding an item on a past, present or future Board open-session agenda, or a matter of general policy over which the Board has jurisdiction.

1. To the extent practical, 15 minutes will be set aside for Open Podium.
2. If appearing in person a speaker must complete a speaker slip if intending to speak. If appearing virtually a speaker must raise their hand and use the Q&A function to communicate their desire and reason to speak prior to the start of the meeting.
3. Comments shall be limited to three minutes per person. Total time allotted to public comment shall not exceed 15 minutes without the consent of the Town Supervisor.
4. Comments shall be directed to the Board as a whole, and not to individual members.
5. Comments shall be presented in a courteous manner, and not in a threatening or abusive manner.
6. It shall be the decision of the Town Supervisor if it is appropriate to respond to a question.
7. In the interest of allowing all viewpoints to be heard the Town Supervisor may ask speakers expressing similar viewpoints to elect one person from the group to speak on their behalf.
8. As time is limited, not all speakers may have a chance to speak, but they are welcomed to leave comments in writing at the meeting, attend a future meeting, or contact the Town, Town Supervisor, or Board Members via phone, meeting, or email beyond the meeting.
9. Discussion between speakers and attendees should be respectful. A speaker may disagree with or support prior speakers in comments directed to the Town Board.
10. In the case of a Public Hearing, and at the discretion of the Town Supervisor, speakers may be allowed to speak a second time, once everyone has been allowed to speak once.
11. If, in the opinion of the Town Supervisor, comments by a member of the public during the Open Podium, Public Hearing, or Special Public Information Meeting are not related to Town business or in any other way violates these Rules, the Town Supervisor will notify the speaker to either re-direct their comments to Town business or otherwise follow the Rules. If the individual persists to violate these Rules, they will be asked to

stop speaking. If after a final warning, the speaker refuses to step down, the Town Supervisor may have the person removed from the Town Board meeting room.

REGULAR TOWN BOARD AGENDA

While an agenda is not required, the Town Board believes to the extent possible, an agenda should be prepared before a regularly scheduled meeting. The agenda is prepared by the Town Clerk by the Friday before the next regularly scheduled Town Board Meeting and should be provided and posted for the public by the close of business on the day prior to the Town Board Meeting.

TOWN BOARD

1. Town Board members must be recognized by the Town Supervisor before making motions and speaking.

2. A member, once recognized, shall not be interrupted when speaking unless to call the member to order. If a member, while speaking, is called to order, such member shall cease speaking until the question of order is determined, and, if in order, such member shall be permitted to proceed.

3. There is no limit on the number of times a member may speak on a question.

4. A member may, with permission of the Town Supervisor, interrupt a speaker during their remarks, but only for the purpose of clarification and information.

5. All members shall refrain from personal attacks, personal accusations, irrelevant or unduly repetitious communications or other disruptive behaviors that actually disrupt, disturb or impede the orderly conduct of the business of the Board.

6. Town Board members may participate virtually but, must have their audio and video on throughout the meeting so that votes may be properly recorded. In the event there is a technical failure, and a Town Board member disconnects from the meeting the time of that disconnection will be recorded along with the time of re-entry. Any votes taken while the Town Board member does not have audio or video will be recorded as a No Vote Taken.

Nothing contained herein shall be construed to limit the rights and responsibilities of a Town Board to conduct meeting under the Laws of the State of New York and the United States of America. Through these rules, it is the intent of the Town Board to offer general guidelines that may make attending Town Board meetings convenient for the public, fair to all Board Members and, above all else, essential for open, transparent and effective local governance.

VIRTUAL MEETING PARTICPATION

1. All of the above rules regarding meeting participation apply to virtual meeting participants. Activities that disrupt, delay or otherwise interfere with the meeting are prohibited.

2. If, in the opinion of the Town Supervisor, comments by a member of the public during the Open Podium, Public Hearing, or Special Public Information Meeting are not related to Town business or in any other way violates these Rules, the Town Supervisor will notify the speaker to either re-direct their comments to Town business or otherwise follow the Rules. This applies to comments made in the Zoom Q&A and comments made while using audio and/or video. If the individual persists to violate these Rules, they will be asked to stop speaking. If after a final warning, the speaker refuses to step down or continues to submit prohibited comments, the Town Supervisor may direct the Town Clerk or individual administrating the Zoom meeting to remove the individual from the meeting, disable video or mute the individual.

3. Each person shall register to speak at the meeting using that person's real name. Any person believed to be using a pseudonym will not be permitted to speak at the meeting and will not be recorded into the official minutes. When called upon to speak during a public hearing, individuals should state their name and address for the record.