

MINUTES
TOWN BOARD
April 10, 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	Allison A. Edsall, Town Clerk
Fran Marlowe, Manlius Police Chief	Doug Miller, Town Engineer
Ann Oot, Town Manager	Rob Cushing, Highway Superintendent

Other persons attending:

Mike McGrew, Manlius. Bob Duncanson, Fayetteville. Lou VanWie, Kirkville. Benita Rogers, Manlius. Jon Hefti, Manlius. Garry Nichols, Manlius. Joseph Novek, Manlius. Marcia Novek, Manlius.

1. The Pledge of Allegiance

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

2. Approval of Minutes – March 27, 2013

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

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

Abstain: Councilor Cassalia

Nayes: 0

All in Favor.

Motion Carries.

3. Approval of Abstract # 7

Councilor Marzola made a motion, seconded by Councilor Marnell, to approve Abstract # 7 as submitted by Town Clerk Edsall.

TOWN OF MANLIUS
Fund Summary
Abstract # 7 - 2013

<u>CODE</u>	<u>FUND</u>	<u>TOTALS</u>
A	General Fund Townwide	\$ 122,204.58
B	General Fund Town	\$ 718.53
DA	Highway Fund Townwide	\$ 179,005.07
DB	Highway Fund Town	\$ 36.29
SR1	Manlius Trash District	\$ 81,537.77
SR2	Manlius Res Brush District	\$ 12,016.34
SS1	Manlius Con Sewer District	\$ 4,916.86
SS3	Megnin Farms Sewer	\$ 12,803.72

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

Nayes: 0 All in Favor. Motion Carries.

4. Set Date – Public Hearing – Annexation to the Village of Minoa

Councilor Marnell made a motion, seconded by Councilor Giordano, to set date for public hearing on May 20, 2013 at 7:00p.m.in the matter of the Annexation to the Village of Minoa tax map # 068.-02-02.

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

Nayes: 0 All in Favor. Motion Carries.

5. Public Hearing – MS4 Stormwater

Councilor Marnell made a motion, seconded by Councilor Marzola to waive the reading of the public notice in the matter of Public Hearing – Annual MS4 Stormwater Report

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Marnell made a motion, seconded by Councilor Green to open the Public Hearing at 7:05pm in the matter of - Annual MS4 Stormwater Report

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

Nayes: 0

All in Favor.

Motion Carries

Lou VanWie, Kirkville, discussed the following topics and made the following statements as a matter of public record for the Annual MS4 Stormwater Report:

- Limestone Creek is very full with all of the recent rain but the creek is very muddy.
- There is a property near him on Kirkville Road where the owner holds four wheeler mud competitions. When they use the four wheelers they sling mud everywhere and there is a culvert on that property near the competition. There is a direct discharge of muddy water into Limestone Creek from this culvert. Does this owner need a permit for this? Does this owner need a silk screen to stop the muddy runoff?
- There are also three wooden cable reels that are fully submerged right now. They damn the creek.

Doug Miller, Town Engineer, stated that this is not part of the MS4 report but the Town will look into it.

Mr. VanWie stated that this is illicit discharge in his opinion.

Joe Novek, Manlius, discussed the following topics and made the following statements as a matter of public record for the Annual MS4 Stormwater Report:

- The Town of Manlius has taken no action to prevent the illicit discharge that has been putting silt into the creek at the rear of 8181 Bluffview Dr. There is an open bank that is muddy and it is silting into the creek.
- The Bluffview drainage system modification that was installed was not completed utilizing proper methods and best management practices. The engineering guidelines that were submitted by Barton and Loguidice were not followed. No engineering plans were submitted for crossing the sanitary sewer lines as is required.
- The proper easements for completion of the drainage system were not obtained. There is failure of sub catchment area 30 during heavy rain that allows overflow into Limestone Creek.
- Sump pump discharge is still being allowed into Limestone Creek.
- A petition was submitted, a study was conducted and the drainage system of the Bluffs is still not completed.
- No funds were utilized from the drainage district for the Bluff storm drainage system modification which he pays taxes for.

- Appropriate actions should be taken.

Marcia Novek, Manlius, discussed the following topics and made the following statements as a matter of public record for the Annual MS4 Stormwater Report:

- Discussed the definition of storm water as defined by Kathleen Bertuch from the CNYRPB.
- Erosion of soil from land surface continues behind 8181 Bluffview Dr.
- Tonight Mrs. Novek video recorded that there was water gushing over bubble wrap behind 8181 Bluffview Dr. which was causing continuous erosion and streaming silt and dirt down into the stream
- There has been damage to infrastructure and property behind 8181 Bluffview Dr. The foundation footer is exposed and there is no soil against the foundation.
- Flooding and drainage is a problem behind 8181 Bluffview Dr. as water continues to flow under the unit's foundation down the slope after it rains or the snow melts. This problem has not been addressed effectively and there is continuous erosion and there are bare stumps.
- No action has been taken to address the continuing illicit discharge of silt into Limestone Creek at the rear of the townhome unit of 8181 Bluffview and surface erosion continues into Limestone Creek.

Lou VanWie, Kirkville, stated that there are two companies in his area selling topsoil and landscaping materials. One of the companies borders Limestone Creek and when it rains the storage areas for the topsoil and other materials flood. These flooded areas drain into Limestone Creek. Mr. VanWie asked if these companies have some sort of silt screen in place to prevent erosion into Limestone Creek. These companies should be investigated as the creek is so muddy it has the appearance of chocolate milk.

There being no further comment from the public Councilor Marnell made a motion, seconded by Councilor Loeffler to close the Public Hearing at 7:21pm in the matter of - Annual MS4 Stormwater Report

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

Nayes: 0

All in Favor.

Motion Carries

6. RFP discussion – Forensic Audit

Councilor Marnell briefly described the RFP for the forensic audit and stated that the start date of the audit has been extended back to 2009.

Councilor Marzola stated that he has some questions about the RFP but he feels this should be discussed in executive session as it relates to an ongoing criminal investigation.

The Town Board tabled the discussion until executive session.

7. Correspondence/New Business

A) Highway Superintendent

There will be a bid opening for road paint on April 16, 2013 at 9:30am.

B) Planning & Development – No New Business

C) Attorney – No New Business

D) Town Clerk

Town Clerk Edsall announced the annual rabies clinic will be held on May 13, 2013 from 5pm – 7pm at the Village of Manlius Recreation Center.

E) Town Board

Councilor Marnell stated that both he and Councilor Giordano attended the recent school board meeting about Type A diabetes concern.

Councilor Marzola stated that the Village fire budget process for all the Villages has begun.

Councilor Cassalia gave an update on the Critical Response Committee.

Chief Marlowe discussed a recent donation the police department received from a resident and stated that he has received word from Assemblyman Stirpe that the Police department has received a \$35,000 grant.

F) Supervisor

Bob Duncanson, Manlius, stated that he is again bringing the issue of the deer population in Green Lakes State Park to the attention of the Town Board. Mr. Duncanson stated that he has brought this to the Town Board on several occasions in the past and it is a real problem in the Town of Manlius. The overpopulation of deer has contributed to several car accidents and spreads Lyme disease. Mr. Duncanson stated that just recently his 11 year old grandson was found to have Lyme disease and something has to be done. Mr. Duncanson stated that other parks have been successful in reducing the deer population and encouraged the Town Board to look into Rock Creek Park in Washington and what action was taken to reduce the deer population.

Discussion ensued regarding the history of the deer population situation, the car accident study that is currently underway and the possible ways to attempt to address the situation.

8. EXECUTIVE SESSION

There being no further business to come before the Board, upon motion duly made by Councilor Marnell and seconded by Councilor Loeffler, the Board unanimously voted to adjourn regular session at 7:42 pm to enter into executive session to discuss Collective

Bargaining Agreements and matters leading to the appointment of a particular person or a corporation.

Respectfully Submitted by:

Allison Edsall
Town Clerk

EXECUTIVE SESSION MEETING MINUTES

Executive Session

April 10, 2013

Upon motion duly made by Councilor Cassalia and seconded by Councilor Marzola, 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 Green made a motion, seconded by Councilor Giordano, to authorize the issue of an RFP for a forensic audit of the Court.

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

Nays: 0

All in Favor.

Motion Carries.

There being no further business to come before the Board, upon motion duly made by Councilor Giordano 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