

MINUTES
TOWN BOARD
March 23, 2022

The Town of Manlius Town Board held a hybrid meeting at East-Syracuse High School, 6400 Fremont Rd., East Syracuse, NY with in-person attendees and virtual attendees. The meeting was live streamed on the Town Facebook page and the Town YouTube Channel. The recording of the meeting can be viewed here: <https://youtu.be/Ih9BYpkhLFE>

Supervisor John Deer presided, and the following Board members present:

Sara Bollinger, Councilor
Elaine Denton, Councilor
Heather Waters, Councilor
Katelyn M. Kriesel, Councilor
Alissa Italiano, Councilor
William Nicholson, Councilor

The following Town Officers were present:

Tim Frateschi, Attorney for the Town
Town Manager, Ann Oot

Allison A. Weber, Town Clerk
Kayandra Blythe, Deputy Town Manager

1. Attendees

In-Person Meeting Attendees: Connie Whitton, David Taylor, Debbie Taylor, David Zuber, Pete Wirth, Kendall Santola, Dirk Oudemool, Barbara Henry, Josh Hawley, Kiernan May, Paul Chayka, Prerna Deer, Devin Howell, Casey Cleary-Hammerstedt, Joseph Lupia Jr., Eugene Gacek, Margaret Gacek, Linda Sessions, Ann Kelly, Bobby Schepp, Bob Berger, Shelly Chayka, Mikayla Cleary-Hammerstedt, Brian Maher, Rich Gratien, Joe Messino, Lucy Gallery, Daughn Canfield, Ken Pacioni, David Lapidus, Sharon Chapman, Maia Chukin, Elena Pacheio, Ann Luffred, Amanda Courcy, John Courcy, Joanne Courcy, Susan Goldner, Mike Papa, Julie Gratien, Stephen Benson, Denise Mahns, Antoinette Coville, Frank Coville, Jennifer Staples, David Tyler, Rod Ives, Napierala Consulting, Joseph Courcy, Leigh Nolan, Daniel Chakin, Karyn Barnwell, Pamela Lapidus, Tom Gallery, Joseph Silino, Dianne Brown, Mark Matt, Anita Cottrell, Aerik Radley, Adam Brown, Brenda Scanlon, Stephen Wowelko, Lawrence Egnaczyk, Jack Larsen, Tony Fallico, Brian Carr, Craig Dudczak, James Racquet, Thomas D. Jones, Katie Dean, Diane St. Laurent, Cheryl Matt, Laurie Cottrell, Tom Bassett, Cynthia Couche, Barbara Jones, Brian St. Laurent, Peter Michel, Sterling Waters, John Loeffler, Jane Tretler, David Barnwell, KP Kelly, Tim Kelly, Gaetano Cotroneo, Vincent Giordano, Rich Rossetti, Richard Lelong, Linda Egnaczyk, Jane Oper, Barbara Sturick, Reba Oper, Caroline Miller, Reena Tretler, Mike Friend, Rob Oley, Joe Kellogg, Jackie Michel, Ari Spinoza, James Wood, Sarah Pralle, Karen Dunn, Denise Wowelko, Rick Portine, Linda Procita, Bob Hogle, Tris Motyl, Alec Beaton, Katharine Mooney, Kathleen Donahue, Gary Hoover, John Lischak, Don Trendell, Nancy Stevens, Jill Brule', Mary Teske, Stacy Higgins, Brad Sauve, Julia Leary.

Virtual Meeting Attendees: Alan Rolnick, Leslie Cole, Ingrid Gonzalez-McCurdy, Andrea Viczian, Grant deBruin, Donna Smith, V. Meguid, Lala Sharples, Nancy Workman, Shiuwan Eng, Michele Courcy, Sankalp Gautam, Mike Roach, Melissa Clark, John Gaffney, Roberta

Hampson, Mariah Pasinski, Virginia Watson, Kathy Lupia, Chris Carrick, Sanskar Narang, Heejung, Ben Testani, Nat Dunn, Roni Morgenstern, Joni Steigerwald, Linda McGinley, Valerie Beecher, Colin Harvey, Tom Burns, Eileen Thompson, Debbie Maffei, Justin Dunn, Mary Cunningham, Leah Eve Jezer-Nelson, Donna Smith, Hugh McCurdy, Catherine Cole, Karen Dunn, Sanji Kumar, Ora Jezer, Patricia Baker, Jeffrey Rodgers.

2. The Pledge of Allegiance

Supervisor Deer, called the meeting to order at 6:30 PM. Councilor Denton led the Pledge of Allegiance. Supervisor Deer welcomed everyone and thanked all for attending.

3. Open Podium – No speakers present.

4. Proclamation – for Matilda Joslyn Gage 196th Birthday

Councilor Waters read aloud a proclamation declaring March 24th Matilda Joslyn Gage Day in the Town of Manlius.

Councilor Waters made a motion, seconded by Councilor Italiano, to authorize the Supervisor to sign the proclamation for Matilda Joslyn Gage Day.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Italiano, Councilor Waters, Councilor Kriesel

Nayes: 0

All in Favor.

Motion Carries.

5. Public Hearing – Zone Change – A&E & SNY Med Spa – Medical Center Dr., - tax map # 086.-01-03.9.

Councilor Denton made a motion, seconded by Councilor Kriesel, to waive the reading of the public notice in the matter of the proposed local law 2022-3 the application of A&E & SNY Center LLC for a change of zone from restricted agriculture (RA) to neighborhood Shopping (NS) for the property located on Medical Center Dr., Fayetteville NY (tax map # 086.-01-03.9).

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0

All in Favor.

Motion Carries.

Attorney Frateschi stated the Board will need to complete Part II of the Environmental Assessment Form. Attorney Frateschi stated the Planning Board has reviewed the application and recommends a zone change of restricted agriculture (RA) to neighborhood Shopping (NS).

PART II – Short Environmental Assessment Form

Attorney Frateschi reviewed Part II of the short environmental assessment form with the Town Board. The Town Board determined that each of the environmental factors would have no more than a small to moderate impact. After further discussion, the Board agreed that there would be no significant environmental impact by issuing (approving the LL) the Zone Change request based on the reasons set forth in the Resolution drafted by the Attorney for the Town.

Councilor Bollinger made a motion, seconded by Councilor Italiano, to declare the Town of Manlius lead agency for SEQR purposes in the matter of the proposed local law 2022-3 the application of A&E & SNY Center LLC for a change of zone from restricted agriculture (RA) to neighborhood Shopping (NS) for the property located on Medical Center Dr., Fayetteville NY (tax map # 086.-01-03.9).

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0 All in Favor. Motion Carries.

Attorney Frateschi stated that this will be an unlisted action under SEQR and recommends the board issue a negative declaration.

Councilor Bollinger made a motion, seconded by Councilor Italiano issue a negative declaration for SEQR purposes in the matter the proposed local law 2022-3 the application of A&E & SNY Center LLC for a change of zone from restricted agriculture (RA) to neighborhood Shopping (NS) for the property located on Medical Center Dr., Fayetteville NY (tax map # 086.-01-03.9).

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0 All in Favor. Motion Carries.

Rod Ives, Napierala Consulting reviewed the proposed zone change application for A&E & SNY Med Spa. Mr. Ives stated that the applicant amended the original zone change request to the presented request to change the zoning classification application from Commercial A (CA) to Neighborhood Shopping (NS).

Councilor Bollinger made a motion, seconded by Councilor Italiano to open the public hearing at 6:47 PM in the matter of proposed local law 2022-3, the application by A&E & SNY Center LLC for a change of zone from restricted agriculture (RA) to neighborhood Shopping (NS) for the property located on Medical Center Dr., Fayetteville NY (tax map # 086.-01-03.9).

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

There being no comment from the public, Councilor Kriesel made a motion, seconded by Councilor Bollinger to close the public hearing at 6:48 PM in the matter of proposed local law 2022-3, the application by A&E & SNY Center LLC for a change of zone from restricted agriculture (RA) to neighborhood Shopping (NS) for the property located on Medical Center Dr., Fayetteville NY (tax map # 086.-01-03.9).

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

The Town Board tabled the decision until later in the meeting. The matter was tabled to preserve the local law numbering.

6. Public Hearing – For a Local Law to repeal section 155-27.2 of the Town Code Regulation the Placement of Solar Photovoltaic Energy Systems and to Replace it with a

Modified Local Law to Regulate the Placement of Solar Photovoltaic Energy Systems in the Town and Removing Solar Photovoltaic Energy Systems Situated on Town Property from the Site Plan and Special Permit Processes.

PART II – Short Environmental Assessment Form

Attorney Frateschi reviewed Part II of the short environmental assessment form with the Town Board. The Town Board determined that each of the environmental factors would have no more than a small to moderate impact, primarily because the Local Law increases the regulation of solar energy systems and the section dealing with siting solar energy systems on town property is a Type II action under SEQRA. After further discussion, the Board agreed that there would be no significant environmental impact by adopting the local law based on the reasons set forth in the Resolution drafted by the Attorney for the Town.

Councilor Bollinger made a motion, seconded by Councilor Italiano, to declare the Town of Manlius lead agency for SEQR purposes in the matter of the proposed local law 2022-2 to repeal section 155-27.2 of the Town Code Regulation the Placement of Solar Photovoltaic Energy Systems and to Replace it with a Modified Local Law to Regulate the Placement of Solar Photovoltaic Energy Systems in the Town and Removing Solar Photovoltaic Energy Systems Situated on Town Property from the Site Plan and Special Permit Processes.

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nays: 0

All in Favor.

Motion Carries.

Attorney Frateschi stated that this will be an unlisted action under SEQR and recommends the board issue a negative declaration.

Councilor Bollinger made a motion, seconded by Councilor Denton issue a negative declaration for SEQR purposes in the matter the proposed local law 2022-2 to repeal section 155-27.2 of the Town Code Regulation the Placement of Solar Photovoltaic Energy Systems and to Replace it with a Modified Local Law to Regulate the Placement of Solar Photovoltaic Energy Systems in the Town and Removing Solar Photovoltaic Energy Systems Situated on Town Property from the Site Plan and Special Permit Processes.

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nays: 0

All in Favor.

Motion Carries.

Councilor Denton made a presentation on the proposed Town of Manlius Solar Landfill Project. A copy of that presentation is on file in the Town Clerk's Office.

Councilor Denton made a motion, seconded by Councilor Bollinger, to waive the reading of the public notice in the matter of the proposed local law 2022-2 Law to repeal section 155-27.2 of the Town Code Regulation the Placement of Solar Photovoltaic Energy Systems and to Replace it with a Modified Local Law to Regulate the Placement of Solar Photovoltaic Energy Systems in the Town and Removing Solar Photovoltaic Energy Systems Situated on Town Property from the Site Plan and Special Permit Processes.

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0

All in Favor.

Motion Carries.

Councilor Denton made a motion, seconded by Councilor Bollinger, to open the public hearing at 7:05 PM in the matter of the proposed local law 2022-2 Law to repeal section 155-27.2 of the Town Code Regulation the Placement of Solar Photovoltaic Energy Systems and to Replace it with a Modified Local Law to Regulate the Placement of Solar Photovoltaic Energy Systems in the Town and Removing Solar Photovoltaic Energy Systems Situated on Town Property from the Site Plan and Special Permit Processes.

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0

All in Favor.

Motion Carries.

Town Clerk Weber reviewed the process used to notify residents of the public hearing and the change in location of the public hearing. Town Clerk Weber read the names of residents that sent letters in support and opposed to the proposed Local Law 2022-2.

A copy of all letters and comments submitted are on file in the Town Clerk's Office.

Letters of Support

David Freeman, David Harding, Doug Eaton, Harris Lindenfield, Q. McCurdy, Jared Titus, Linda McGinley, Lynn Shaffer Wilner.

Letters Opposed

Adam Brown, Amanda Courcy, Andy Breuer, Bernard Schneider, Brian & Diane St. Laurent, Caroline Miller, Catherine Butz, Connie Whitton, Daniel Harris, David & Eileen Lowe, Diane Haller, Dirk Stevens, Dr. & Mrs. Fabio Valenzuela, Dr. David & Eileen Thompson, Edmund Sullivan, George Cerio, Jeanne Lawler, Jennie Karoleski, Joe Messineo, Joseph Silino, Julie Harris, Karen Green, Karen M. Ward, Ken Pacioni, Kiernan May, Linda Pekarsky, Mary Noah, Michael Friend, Michael LaCombe, Michele Courcy, Nancy Stevens, Pamela Lapidus, Paul Chayka, Peter & Hannah Hubbard, Robert Janosky, Ron Karoleski, Stephen Benson, Valerie & Richard Semeran, Alissa Ward, Gail & Robert Gonsiewski, Jack Larsen.

Letters Read Aloud by Town Clerk Weber

Letters of Support

Steven Weiter, Linda Atchamore, Geri Hall.

Letters Opposed

Gail & Robert Gonsiewski, David Friedman.

Letters of Comments

Michael LaCombe stated the Old Erie Canal State Historic Park has been approved for designation as a national historic landmark which include layers of responsibility.

Roseann Lorefice wants all projects to be transparent by holding public hearings.

Public Hearing Speakers

Connie Whitton, Manlius, spoke in opposition of the proposed local law. Ms. Whitton asked several questions about the bid process and selection process used to procure Abundant Solar for the community landfill project and asked why the Town Board did not choose a woman owned solar company.

David Taylor, Manlius, spoke in opposition of the proposed local law. Mr. Taylor discussed the number of residential homes that have been built around the landfill after it was closed. Mr. Taylor outlined several concerns that he has for this specific landfill site and requested the site be considered individually.

David Zuber, Manlius, spoke in opposition of the proposed local law. Mr. Zuber stated that the law is circumventing the Planning Board and there were other proposals for the land that could generate over \$700,000 in revenue. Mr. Zuber discussed flaws he found in the law.

Peter Wirth, Fayetteville, spoke in favor of the proposed law and solar. Mr. Wirth discussed studies that support that do not indicate that property values will decrease. Mr. Wirth discussed the benefits of solar.

Dirk Oudemool, Attorney for the residents of Fremont Hills and Starview, spoke in opposition of the local law. Mr. Oudemool stated that the lease with Abundant Solar is invalid because Section 64 of NYS Town Law related to Permissive Referendums was not followed. Mr. Oudemool submitted a transcript of Mr. Lupia's statement into the record.

Barbara Henry, Manlius, read aloud a letter from Peter & Hannah Hubbard in opposition of the proposed local law. The Hubbards stated that no laws should be created that circumvent the protections provided by the Planning Board.

Kiernan May, Manlius, spoke in opposition of the proposed local law. Mr. May stated that the proposed law gives for-profit companies the ability to circumvent existing processes that all other for-profit companies must go through.

Paul Chyka, Manlius, submitted an article from the March 20th edition of The Post Standard (Syracuse.com) that shows an arial photograph of 30 homes that will be affected by the landfill solar project. Mr. Chayka stated that there are several homes not pictured in the photo that will be affected and the proposed array has no place being so close to an established residential community.

Prerna Deer, Chairperson of the Manlius Democratic Committee, spoke in favor of the proposed local law. Ms. Deer stated that the current Town Board members made campaign promises that they will promote sustainability and build a community solar project on the landfill, and they are following through on that. Ms. Deer spoke about her concerns about climate change and how that affects her future.

Joseph Lupia Jr., Planning Board Chairman, spoke in opposition of the proposed local law. Mr. Lupia stated that the Planning Board has been in favor of solar arrays and discussed the arrays the Planning Board has approved. Mr. Lupia stated that the landfill solar project does not have any screening plans to meet the code requirements. Mr. Lupia discussed the letters of opposition the Planning Board received for this project.

Shelly Chayka, Manlius, spoke in opposition of the proposed law. Ms. Chayka stated that there have been misrepresentations and things that were not disclosed. Ms. Chayka stated that her greenspace is being leased to a non-US based company for a meager \$16,000 per year lease so she could save up to 10% on her energy bill. Ms. Chayka stated that the Town Supervisor made it clear that he was elected on a platform of sustainability, but he is not considering the people who did not vote for him.

Lucy Gallery, East Syracuse, spoke in opposition of the proposed law. Ms. Gallery stated that she is opposed to the bypassing of the Planning Board and the precedent that it sets. Ms. Gallery stated that this could lead to ineffectiveness or the elimination of the Planning Board.

Maia Chakin, Fayetteville, spoke in favor of the proposed local law. Ms. Chakin discussed her concerns about climate change and the climate action that is needed for the future of the planet. Ms. Chakin stated that she trusts the Town Board to fully vet the project and make decisions based on the values of the residents that elected them.

Amanda Courcy, Manlius, spoke in opposition of the proposed local law. Ms. Courcy stated that the law circumvents the Planning Board and eliminates the public discourse regarding decisions that directly affect the neighboring properties. Ms. Courcy stated that this is an abuse of power, is disrespectful to the communities the Town Board represents, and does not speak for all the constituents the Town Board represents.

Denise Mahns, Manlius, spoke in favor of the proposed law. Ms. Mahns stated that the concerns of a small group of people about a particular solar array pale in comparison to what the planet is facing. Ms. Mahns stated that she is embarrassed by the "NIMBYism" trusts the town councilors to get it right.

Frank Coville, Manlius, spoke in opposition of the proposed local law. Mr. Coville stated that the Planning Board has done its due diligence and determined that the landfill solar project was incompatible with the surrounding neighborhoods and the Town Board is circumventing the process and removing the public from the decision-making process. Mr. Coville stated that the Town Board is sending out misinformation, conducting backdoor deals and this is not how elections should be played out.

Jennifer Staples, Fayetteville, spoke in favor of the proposed local law. Ms. Staples asked everyone to take a larger view of the problem and stated that the nation must convert its energy production from fossil fuels to clean renewable energy. Ms. Staples stated that small towns must start the work to make renewable energy more mainstream, so other communities follow.

Joseph Silino, East Syracuse, spoke in opposition of the proposed law. Mr. Silino stated that when the solar moratorium was considered the Town Board expressed that they trusted the

Planning Board Chairman and the Planning Board to do their job. Mr. Silino discussed reasons he felt the Town Board was disingenuous and misleading. Mr. Silinio stated that it is fiscal mismanagement to use a bid from 2017.

Aerick Radley, Fayetteville, spoke in favor of the proposed law. Mr. Radley stated that he trusts the Town Board to make decisions because of their history of transparency. Mr. Radley stated that the Town Board shared what they could but asked the Town Board to continue to do better and do the process correctly.

Brian Carr, East Syracuse, spoke in opposition of the proposed law. Mr. Carr stated that the environmental impact study was completed on purpose at a time where an endangered species of bird was not present. Mr. Carr discussed his experience with solar panels on his home and how unpredictable the amount of energy produced by these solar panels. Mr. Carr stated that the Town Board does not have the right to bypass the Planning Board who are experts.

Tom Bassett, Manlius, spoke in favor of the proposed law. Mr. Bassett stated that the Town owns the lot and, with the exception of screening issues, the objections to the law/proposed solar array are without merit.

Peter Michel, Manlius, spoke in favor of the proposed law. Mr. Michel discussed his concerns about the climate crisis and further stated that it is easier to sacrifice the concerns of a few than to sacrifice the lives of our future grandchildren. Mr. Michel stated that the economic benefits of the solar farm have his support.

John Loeffler, Manlius, spoke in opposition of the proposed law. Mr. Loeffler discussed the difference between the Town Board and the Planning Board. Mr. Loeffler stated that the Planning Board has expertise and is removed from politics. Mr. Loeffler asked about the SWPPP, the landfill monitoring and the saturation of sites. The current law states that an array cannot be within one mile of another array and there is an array within a mile in the Town of DeWitt. Mr. Loeffler also asked if the Town Board discussed policies behind closed doors that violated the open meetings law?

Jane Tretler, Fayetteville, spoke in favor of the proposed law. Ms. Tretler discussed the extreme weather events and wildfires that are occurring and stated that the US is the largest emitter of CO2 since the start of the Industrial Revolution. Ms. Tretler stated that she voted for the current Town Board because they ran on a platform of sustainability, and she also understands that she does own her own viewshed.

Carolyn Miller, Manlius, spoke in opposition of the proposed law. Ms. Miller stated that this is a poor example of government because it is not transparent. Ms. Miller stated that this sets a dangerous precedent and removes important checks and balances by removing the Planning Board.

Joe Kellogg, Fayetteville, spoke in support of the proposed law. Mr. Kellogg stated that he would be proud of our community if they approved this solar array and more in the future.

David Barnwell, Manlius, spoke in opposition of the proposed law. Mr. Barnwell stated that the people of this town deserve to be heard and the Planning Board has done a good job over the years. Mr. Barnwell stated that this law is a slap in the face to the Planning Board and no personal agendas should be involved.

Barbara Sturick, East Syracuse, spoke in opposition of the proposed law. Ms. Sturick asked what will happen to open areas, buildable lots and the eco systems if there are solar panels everywhere. Ms. Sturick discussed the current flooding situation in that area and how that will be impacted.

Isaac Wood, Manlius, spoke in favor of the proposed law. Mr. Wood expressed his concerns for the future due to the reactive nature of the environment from decades of negligence of carbon emissions. Mr. Woods asked everyone to look past their views and consider the future consequences.

Sarah Pralle, Manlius, spoke in favor of the proposed law. Ms. Pralle discussed the high demand for solar powered energy. Ms. Pralle discussed current energy usage and how the current fossil fuel infrastructure impacts poor communities and communities of people of color.

Rick Wartin, Manlius, spoke about the history of the proposed solar array on Bowman Rd and the amendments to the current solar law.

Bob Gregor, Fayetteville, spoke in opposition of the proposed law. Mr. Gregor stated that he attended previous meetings with Abundant Solar and is very disillusioned with what was presented. Mr. Gregor discussed the numbers the Town Board presented about the proposed solar array and stated that it is inaccurate. Mr. Gregor stated that the deal is lousy, and the Town Board should renegotiate.

Julia O'leary, Fayetteville, spoke in favor of the proposed law. Ms. O'leary stated that something must be done to help protect future generations and this law does that.

Craig Gunzack, Manlius, spoke about the proposed law. Mr. Gunzack stated that the environmental concerns of his youth have not gone away. Mr. Gunzack stated that he has a political concern about the process that was undertaken.

Casey Cleary-Hammarstedt, Fayetteville, spoke in favor of the proposed law. Ms. Cleary-Hammarstedt stated that the proposed law is not designed to circumvent the rules of the appointed Planning Board but so that the elected officials can move forward to become a sustainable town. Ms. Cleary-Hammarstedt stated that the older generation cannot wait any longer to act.

Town Clerk Weber read aloud online statements from the virtual attendees that were submitted through Q&A on the Zoom platform. The full transcript of the submitted statements are on file in the Town Clerk's Office. These comments were read aloud at various times throughout the meeting.

Laurie Rolnick, Fayetteville, submitted a comment of support for the proposed local law.

Eric and Kuki Haines, Fayetteville, submitted two comments of support for the proposed local law.

Dave Pasinki, Micah Pasinski & Mariah Pasinski, Fayetteville, submitted a comment of support for solar.

Mary Cunningham submitted a comment of support for the proposed local law.

Debbie Maffei submitted a comment in opposition of the proposed law.

Alan Rolnick submitted a comment of support for the proposed law.

Andrea Viczian, Manlius, submitted a comment of support for the proposed law.

Sankalp Gautam, submitted a comment of support for the proposed law.

Leslie Cole, Manlius, submitted a comment of support for the proposed solar array.

Valerie Beecher, Manlius, submitted a comment of support for the proposed law.

Virtual Attendee Hugh McCurdy, East Syracuse, spoke in favor of the proposed law. Mr. McCurdy discussed historical events and reducing our energy dependence so that we can better fight war criminals.

Virtual Attendee Ingrid Gonzalez McCurdy, East Syracuse, spoke in favor of the proposed law. Ms. McCurdy stated that there has been inaccurate information shared as to why the solar project on the landfill should not be developed. Ms. McCurdy stated that the long-term impacts on our climate need to be considered and we are running out of time.

John Buckley, Manlius, spoke in opposition of the proposed law. Mr. Buckley stated that the Town Board did not get the results that they wanted so they are changing the process. Mr. Buckley discussed his experience serving in government and stated that he left the industry because of people doing things just like this.

Stephen Welcome, Manlius, spoke in opposition of the proposed law. Mr. Welcome stated that he is not opposed to solar, but he is opposed to the Town Board bypassing the process that is already in place.

Elisabeth M., Fayetteville, spoke in opposition of the proposed law. Elisabeth stated that she does not agree with bypassing the Planning Board and she has a lot of confidence in the Planning Board.

Malcom Bender, Manlius, spoke in favor of the proposed law. Mr. Bender stated that various stages of use of the retired landfill have not affected property values. Mr. Bender stated that zoning laws do not cover municipal development.

Rick Wartin, Manlius, spoke again to finish his previous remarks. Mr. Wartin asked the Town Board to vote no on this proposed law as there is significant justification missing.

Resident, Roumare Road, spoke in opposition to the proposed law. He stated that he is against the project, and he is against the Town Board changing the rules and changing the laws when they did not get what they wanted. He stated that the Planning Board was doing what was right and standing up for what was right.

Dan Chakin, Fayetteville, spoke in favor of the proposed law. Mr. Chakin stated that some of the speakers did not show respect to the Town Board and people with different opinions.

Al, Manlius, stated that he found it sick that people laughed at comments made by other speakers. He also stated that while he did not agree with some of the speakers, they had valid concerns and respects their opinions.

Tom Basset, Manlius, spoke again to finish his previous remarks. Mr. Bassett spoke about how he believed the proposal would have moved through the Planning Board process if left at the Planning Board. Mr. Basset stated that the proposal would have likely gotten caught up in an Article 78 proceeding and been held up.

Joseph Silino, East Syracuse, spoke again to respond to comments made during the public hearing. Mr. Silinio stated that there was an incident of incivility, but the hearing was largely civil. Mr. Silinio also stated that everyone should acknowledge their own bias and really look into the actual details and facts supporting the proposed amendment.

Michael Friend, Manlius, spoke in opposition of the proposed law. Mr. Friend stated that the Town Board has publicly stated that election to office implies a mandate to impose a specific ideological agenda. Mr. Friend also stated that a founding principal of the constitution is that lawmakers at all levels of government are subject to the same laws as everyone else.

Peter Wirth, Manlius, spoke again to finish his previous remarks. Mr. Wirth stated that the proposed law only affects a miniscule amount of land in the Town of Manlius.

Michaela Cleary-Hammerstedt, Fayetteville, spoke in favor of the proposed law. Ms. Cleary-Hammerstedt asked that the town find a way to ensure that the public concerns are met and asked if the town would be hiring an engineering firm to review the designs. Ms. Cleary-Hammerstedt stated that she is excited about using town owned land for this and the town should work with residents in the surrounding area to make sure this works for them.

Sansar Narang, Virtual Attendee, spoke in favor of the proposed local law. Mr. Narang stated that recent surveys at FM High School showed that young people are planning on moving out of the Town of Manlius for cities with friendlier infrastructure and cleaner technology. Mr. Narang stated that this array would help alleviate that.

David Zuber, Manlius, spoke again to finish his remarks. Mr. Zuber stated that the proposed law is not specific to the Bowman Road Landfill project. Mr. Zuber stated that the proposed law refers to any town owned land and could affect any land the town decided to buy in the future.

Councilor Kriesel made a motion, seconded by Councilor Waters, to close the public hearing at 9:32 PM in the matter of the proposed local law 2022-2 Law to repeal section 155-27.2 of the Town Code Regulation the Placement of Solar Photovoltaic Energy Systems and to Replace it

with a Modified Local Law to Regulate the Placement of Solar Photovoltaic Energy Systems in the Town and Removing Solar Photovoltaic Energy Systems Situated on Town Property from the Site Plan and Special Permit Processes.

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0

All in Favor.

Motion Carries.

The Town Board took a brief recess.

Attorney Frateschi addressed concerns raised by Mr. Oudemool regarding the notice of permissive referendum. Attorney Frateschi stated that a resolution was passed at the April 28, 2021, Town Board meeting that addresses the concern raised by Mr. Oudemool that the lease was not ratified and that the notice for permissive referendum was not properly followed.

Attorney Frateschi stated that based on a comment made by a member of the public, he would recommend clarifying language be added to the language of Section 18 D4 b18 which states “in no event shall LSES be placed within one mile of LSES in the Town of Manlius.” Although Attorney Frateschi does not believe that the saturation law applies to solar array systems not in the Town of Manlius, this will make it clear since the issue was raised at the public hearing. The Board agreed that this amendment to the Local Law should be included.

The Town Councilors each spoke about the reasons why they would be voting to adopt the proposed local law.

Councilor Denton made a motion, seconded by Councilor Kriesel, to approve the resolution for Local Law 2022-2 Law to repeal section 155-27.2 of the Town Code Regulation the Placement of Solar Photovoltaic Energy Systems and to Replace it with a Modified Local Law to Regulate the Placement of Solar Photovoltaic Energy Systems in the Town and Removing Solar Photovoltaic Energy Systems Situated on Town Property from the Site Plan and Special Permit Processes as amended to include language in Section 18 D4 b18 which sates “in no event shall LSES be placed within one mile of LSES in the Town of Manlius” as outlined in the resolution prepared by the Attorney for the Town.

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

Nayes: 0

All in Favor.

Motion Carries.

Councilor Kriesel made a motion, seconded by Councilor Italiano to approve local law 2022-3, the application by A&E & SNY Center LLC for a change of zone from restricted agriculture (RA) to neighborhood Shopping (NS) for the property located on Medical Center Dr., Fayetteville NY (tax map # 086.-01-03.9) as outlined in the resolution prepared by the Attorney for the Town.

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel, Councilor Italiano, Councilor Nicholson

7. Attorney

Set Date – Public Hearing – Local Law 2022-__ To Allow Veterinary Hospitals in the RA Zoning Classification with a Rural Occupation Permit.

Councilor Italiano made a motion, seconded by Councilor Waters, to set a date for a public hearing on April 13, 2022, at 6:35 PM to consider an application for a proposed Local Law Amending the Zoning Code of the Town of Manlius to allow Animal Hospitals/Veterinary Services in the R3 Zoning District with a Special Permit and other Minor Modifications.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Italiano, Councilor Waters, Councilor Kriesel

Nayes: 0 All in Favor. Motion Carries.

8. Supervisor

Councilor Bollinger made a motion, seconded by Councilor Denton, to accept the Supervisor's monthly report for February 2022 as presented.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Waters, Councilor Kriesel

Nayes: 0

Abstain: Councilor Italiano

Motion Carries.

9. Landfill Lease Exhibit Approvals

Attorney Frateschi stated that he has received additional exhibits to the lease for the closed landfill which include the decommissioning plan, the site plan, a letter from B&L Engineering related to the SWPPP and the adopted legal description. These need to be approved as supplements to the lease.

Councilor Kriesel made a motion, seconded by Councilor Denton, to approve the exhibits to the landfill lease as a supplement to the lease with the terms and the conditions of the lease not changing.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Denton, Councilor Italiano, Councilor Waters, Councilor Kriesel

Opposed: Councilor Bollinger

Motion Carries.

10. Approval of Abstract # 6

Councilor Bollinger made a motion, seconded by Councilor Denton, to approve Abstract # 6 in the amount of \$367,776.05 as submitted by Town Clerk Weber.

TOWN OF MANLIUS

Fund Summary
Abstract # 6 - 2022

CODE	FUND	TOTALS
A	General Fund Townwide	\$56,789.40
B	General Fund Town	\$201.57
CM1	Police Trust	\$5,486.28
DA	Highway Fund Townwide	\$50,375.37
DB	Highway Fund Part Two	\$164.25
SR1	Manlius Trash District	\$199,943.00
SR2	Manlius Res Brush District	\$25,151.33
SW2	Manlius Con Water District	\$29,413.35
W80	Schepp Water District	\$214.52
W90	Watervale Water District	<u>\$36.94</u>
	Total	\$357,776.05

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Italiano, Councilor Waters, Councilor Kriesel

Nayes: 0

All in Favor.

Motion Carries.

13. Adjournment

There being no further business to come before the Board, upon motion duly made by Councilor Italiano and seconded by Councilor Denton the Board voted unanimously to adjourn regular session at 10:18 PM.

Ayes: Supervisor Deer, Councilor Nicholson, Councilor Bollinger, Councilor Denton, Councilor Italiano, Councilor Waters, Councilor Kriesel

Nayes: 0

All in Favor.

Motion Carries.

Respectfully Submitted by:

Allison A. Weber
Town Clerk