Agenda
Manlius Town Board
December 7, 2022
6:30 PM

1. Virtual Meeting Instructions - December 7th

   Documents:

   12-07-22 TOWN BOARD MEETING INSTRUCTIONS.PDF

2. Pledge Of Allegiance
3. Open Podium
4. 6:35 PM Public Hearing - Local Law 2022-__ Repeal & Replace Chapter 59 Of The Town Code

   Documents:

   LOCAL LAW 2022 - __ REPEAL AND REPLACE BUILDING CODE ENACTING.PDF

5. Set Date - January Town Board Workshop January 11th, 2023 At 5:00 PM
   Engineering RFP Discussion
6. Set Date - Organizational Meeting - January 4th, 2023 At 6:30 PM
7. Set Date - Joint Public Hearing - Village Of Minoa - Minoa Annexations - January 11, 2023

   Documents:

   PUBLIC HEARING NOTICE - GREINER.PDF
   PUBLIC HEARING NOTICE - CARON.PDF
   PETITION FOR ANNEXATION GREINER - VILLAGE OF MINOA.PDF
   PETITION FOR ANNEXATION CARON - VILLAGE OF MINOA.PDF

8. Set Date Public Hearing - Local Law - Disability Exemption

   Documents:

   LOCAL LAW 2022 - ___ DISABILITY TAX EXEMPTION PH.PDF

9. Set Date For A Public Hearing - Local Law - Senior Citizen Property Tax Exemption

   Documents:

   LOCAL LAW 2022 - ___ SENIOR CITZEN PROPERTY TAX EXEMPTION PH.PDF

10. Return Of Highway Securities - Austin Meadows - Phase 5
11. Response To Planning Board For Clarification Of The RM Zone
12. 2023-2024 Unified Planning Work Program

    Documents:

UNIFED PLANNING WORK PROGRAM - LETTER.PDF

13. Support Of Traffic Reconfiguration For Inland Port

    Documents:

    RESOLUTION IN SUPPORT OF TRAFFIC RECONFIGURATION FOR INLAND PORT .PDF

14. Highway Superintendent

    Documents:

    VEHICLE PURCHASE PROPOSAL.PDF

15. Councilor Denton
    EV Charging Stations

16. Supervisor

16.I. 10 Hour Shift Side Agreement

    Documents:

    10 HOUR SHIFT SIDE AGREEMENT.PDF

16.II. RPNY Solar 4 LLC PILOT Agreement - OCIDA - Solar Array At 5986 Clemons Road, East Syracuse

    Documents:

    RPNY SOLAR 4 LLC PILOT AGREEMENT - OCIDA - SOLAR ARRAY AT 5986 CLEMONS ROAD EAST SYRACUSE.PDF

16.III. Update On Cannabis Regulations

17. Approval Of Minutes - November 9, 2022 And November 16, 2022

    Documents:

    11-9-22 DRAFT.PDF
    11-16-22 DRAFT.PDF

18. Approval Of Abstract # 23

    Documents:

    ABSTRACT 23.PDF

19. Adjournment

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

Town of
MANLIUS
New York

December 7, 2022

6:30 PM

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/82665662882?pwd=U0o5VHZzRjRiM1hGWUNmQ0FUeVV3dz09

Password to join when prompted:

Password: **075334**

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: 826 6566 2882

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

Password: **075334**

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

IN THE MATTER

Of

A LOCAL LAW 2022-___ TO REPEAL CHAPTER 59 OF THE TOWN CODE TITLED BUILDING CONSTRUCTION AND FIRE PREVENTION AND REPLACING IT WITH A NEW CHAPTER 59 TITLED BUILDING CONSTRUCTION AND FIRE PREVENTION

RESOLUTION APPROVING LOCAL LAW

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 7th of December, 2022, at 6:30 p.m.

The meeting was called to order by John T. Deer, Supervisor, and the following were present, namely:

John T. Deer	Supervisor
Sara Bollinger	Councilor
Elaine Denton	Councilor
Alissa Italiano	Councilor
Katelyn M. Kriesel	Councilor
William Nicholson	Councilor
Heather Allison Waters	Councilor

The following resolution was moved, seconded and adopted:

WHEREAS, the New York State has recommended that municipalities adopt updated procedures for following the New York State Fire and Building Code;

WHEREAS, the Attorney for the Town has reviewed the model code supplied by the New York State Department of State and has modified it to fit the Town of Manlius;

WHEREAS, Local Law 2022-__ has been presented to the Town Board, to wit:

LOCAL LAW 2022-___, A LOCAL LAW TO REPEAL CHAPTER 59 OF THE TOWN CODE TITLED BUILDING CONSTRUCTION AND FIRE PREVENTION AND REPLACING IT WITH A NEW CHAPTER 59 TITLED BUILDING CONSTRUCTION AND FIRE PREVENTION

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

Section 1. Chapter 59 of the Town Code Titled Building Construction and Fire Prevention is hereby repealed and replaced with Local Law 2022-___.

Section 2. A new Chapter 59 is adopted pursuant to Local Law 2022-____ as set forth below:

§59-1. PURPOSE AND INTENT

This local law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in this Town. This local law is adopted pursuant to section 10 of the Municipal Home Rule Law. The Uniform Code, the Energy Code, NYStretch Energy Code 2020, and the International Residential Code, and all appendixes, supplements and the like, set forth in Title 19 NYCRR Parts 1219 through 1227, are hereby adopted by the Town of Manlius. Except as otherwise provided in the Uniform Code, the Energy Code other state law, or other section of this local law, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions this local law.

§59-2. DEFINITIONS

In this local law, the following terms shall have the meanings shown in this section:

"Assembly Area" shall mean an area in any building, or in any portion of a building, that is primarily used or intended to be used for gathering fifty or more persons for uses including, but not limited to, amusement, athletic, entertainment, social, or other recreational functions; patriotic, political, civic, educational, or religious functions; food or drink consumption; awaiting transportation; or similar purposes.

“Building Permit” shall mean a building permit, construction permit, demolition permit, or other permit that authorizes the performance of work. The term “Building Permit” shall also include a Building Permit which is renewed, amended, or extended pursuant to any provision of this local law.

“Certificate of Compliance” shall mean a document issued by the Town stating that work was done in compliance with approved construction documents and the Codes.

“Certificate of Occupancy” shall mean a document issued by the Town certifying that the building or structure, or portion thereof, complies with the approved construction documents that have been submitted to, and approved by the Town, and indicating that the building or structure, or portion thereof, is in a condition suitable for occupancy.

“Code Enforcement Officer” shall mean the Code Enforcement Officer appointed pursuant to subdivision B of section 3 of this local law.

“Code Enforcement Personnel” shall include the Code Enforcement Officer and all Inspectors.

“Codes” shall mean the Uniform Code and Energy Code.

“Energy Code” shall mean the New York State Energy Conservation Construction Code adopted pursuant to Article 11 of the Energy Law and modified by the Town of Manlius.

“FCNYS” shall mean the 2020 Fire Code of New York State as currently incorporated by reference in 19 NYCRR Part 1225.

“Fire Safety and Property Maintenance Inspection” shall mean an inspection performed to determine compliance with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference.

“Hazardous Production Materials” shall mean a solid, liquid, or gas associated with semiconductor manufacturing that has a degree-of-hazard rating in health, flammability, or instability of Class 3 or 4, as ranked by NFPA 704 (Standard Systems for Identification of the Hazards of Materials for Emergency Response), and which is used directly in research, laboratory, or production processes which have, as their end product, materials that are not hazardous.

“Inspector” shall mean an inspector appointed pursuant to subdivision D of section 3 of this local law.

“Mobile Food Preparation Vehicles” shall mean vehicles that contain cooking equipment that produces smoke or grease-laden vapors for the purpose of preparing and serving food to the public. Vehicles intended for private recreation shall not be considered mobile food preparation vehicles.

“Operating Permit” shall mean a permit issued pursuant to section 10 of this local law. The term “Operating Permit” shall also include an Operating Permit which is renewed, amended, or extended pursuant to any provision of this local law.

“Order to Remedy” shall mean an order issued by the Code Enforcement Officer pursuant to subdivision A of section 17 of this local law.

“Permit Holder” shall mean the Person to whom a Building Permit has been issued.

“Person” shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

“PMCNYS” shall mean the 2020 Property Maintenance Code of New York State as currently incorporated by reference in 19 NYCRR Part 1226.

“RCNYS” shall mean the 2020 Residential Code of New York State as currently incorporated by reference in 19 NYCRR Part 1220.

“Repair” shall mean the reconstruction, replacement, or renewal of any part of an existing building for the purpose of its maintenance or to correct damage.

“Stop Work Order” shall mean an order issued pursuant to section 6 of this local law.

“Sugarhouse” shall mean a building used, in whole or in part, for the collection, storage, or processing of maple sap into maple syrup and/or maple sugar.

“Temporary Certificate of Occupancy” shall mean a certificate issued pursuant to subdivision D of section 7 of this local law.

“Uniform Code” shall mean the New York State Uniform Fire Prevention and Building Code, Subchapter A of Chapter XXXIII of Title 19 of the NYCRR, adopted pursuant to Article 18 of the Executive Law.

“Town” shall mean the Town of Manlius.

§59-3. CODE ENFORCEMENT OFFICER AND INSPECTORS

A. The Office of Code Enforcement Officer is hereby created. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code, and this local law through the Town of Manlius Building and Zoning Department, which may also be referred to as the Office of Planning and Development. A Codes Enforcement Officer shall be head of the Office of Planning and Development unless determined otherwise by the Town Board by Resolution. Any references contained in this chapter or in the Code of the Town of Manlius to the Codes Enforcement Officer shall also mean the Director of the Office of Planning and Development, if applicable. The Code Enforcement Officer shall have the following powers and duties:

1. to receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits, and the plans, specifications, and construction documents submitted with such applications;

2. upon approval of such applications, to issue Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits, and to include in terms and conditions as the Code Enforcement Officer may determine to be appropriate Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits;

3. to conduct construction inspections; inspections to be made prior to the issuance of Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits; fire safety and property maintenance inspections; inspections incidental to the investigation of complaints; and all other inspections required or permitted under any provision of this local law;

4. to issue Stop Work Orders;

5. to review and investigate complaints;

6. to issue orders pursuant to subdivision A of section 17 (Violations) of this local law;

7. to maintain records;

8. to collect fees as set by the Town Board;

9. to pursue administrative enforcement actions and proceedings;

10. in consultation with this Town's attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code, and this local law, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code, or this local law; and

11. to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this local law.

B. The Code Enforcement Officer shall be appointed by the Town Board of the Town of Manlius. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

C. In the event that the Code Enforcement Officer is unable to serve as such for any reason, another individual shall be appointed by the Town Board to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of their appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law.

D. One or more Inspectors may be appointed by the Town Board to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this local law. Each Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and each Inspector shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

E. No employee of the Building and Zoning Department shall engage in any activity inconsistent with his duties or with the interests of the Building and Zoning Department; nor shall they, during the term of their employment, be engaged directly or indirectly in any building business, in the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a building or the preparation of plans or specifications thereof within the town, excepting only that this provision shall not prohibit any employee from such activities in connection with the construction of a building or structure owned by them and not constructed for sale.

F. No official or employee of the Building and Zoning Department shall, while acting pursuant to the provisions of this chapter, be personally liable for any damage that may accrue to persons or property as the result of any act required or permitted in the discharge of their official duties, provided that such acts are performed in good faith and without gross negligence.

G. The compensation for the Code Enforcement Officer and Inspectors shall be fixed from time to time by the Town Board.

§59-4. BUILDING PERMITS.

A. Building Permits Required. Except as otherwise provided in subdivision B of this section, a Building Permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation, or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney, or flue in any dwelling unit. No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Town Code Enforcement Officer.

B. Exemptions. No Building Permit shall be required for work in any of the following categories:

(1) Construction or installation of one-story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses) which are used for tool and storage sheds, playhouses or similar uses, provided the gross floor area is does not exceed 144 square feet [pursuant to Municipal Home Rule Law § 10(1)(ii)(a)(1), § 10(1)(ii)(d)(3) and § 22(1), this subsection is intended to supersede, in part, Part 1203.3(a)(1)(i) of Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York];

(2) Installation of swings and other playground equipment associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses);

(3) Installation of swimming pools associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground;

(4) Installation of fences which are not part of an enclosure surrounding a swimming pool;

(5) Construction of retaining walls, unless such walls support a surcharge or impound Class I, II or IIIA liquids;

(6) Construction of temporary motion-picture, television and theater stage sets and scenery;

(7) Installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);

(8) Installation of partitions or movable cases less than five feet nine inches in height;

(9) Painting, wallpapering, tiling, carpeting, or other similar finish work; **(10)** Installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;

(11) Replacement of any equipment, provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or

(12) Repairs, provided that such repairs do not involve:

(a) The removal or cutting away of a load-bearing wall, partition, or portion thereof, or of any structural beam or load-bearing component;

(b) The removal or change of any required means of egress; or the rearrangement of parts of a structure in a manner which affects egress;

(c) The enlargement, alteration, replacement or relocation of any building system; or

(d) The removal from service of all or part of a fire protection system for any period of time.

C. Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision B of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

D. Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

(1) a description of the location, nature, extent, and scope of the proposed work;

(2) the tax map number and the street address of any affected building or structure;

(3) the occupancy classification of any affected building or structure;

(4) where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and

(5) at least 2 sets of construction documents (drawings and/or specifications) which (i) describe the location, nature, extent, and scope of the proposed work; (ii) show that the proposed work will conform to the applicable provisions of the Codes; (iii) show the location, construction, size, and character of all portions of the means of egress; (iv) show a representation of the building thermal envelope; (v) show structural information including but not limited to braced wall designs, the size, section, and relative locations of structural members, design loads, and other pertinent structural information; (vi) show the proposed structural, electrical, plumbing, mechanical, fire-protection, and other service systems of the building; (vii) include a written statement indicating compliance with the Energy Code; (viii) include a site plan, drawn to scale and drawn in accordance with an accurate boundary survey, showing the size and location of new construction and existing structures and appurtenances on the site, distances from lot lines, the established street grades and the proposed finished grades, and, as applicable, flood hazard areas, floodways, and design flood elevations; and (ix) evidence that the documents were prepared by a licensed and registered architect in accordance with Article 147 of the New York State Education Law or a licensed and registered professional engineer in accordance with Article 145 of the New York State Education Law and practice guidelines, including but not limited to the design professional's seal which clearly and legibly shows both the design professional's name and license number and is signed by the design professional whose name appears on the seal in such a manner that neither the name nor the number is obscured in any way, the design professional's registration expiration date, the design professional's firm name (if not a sole practitioner), and, if the documents are submitted by a professional engineering firm and not a sole practitioner professional engineer, the firm's Certificate of Authorization number.

E. Construction documents. Construction documents will not be accepted as part of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (5) of subdivision D of this section. Construction documents which are accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp, or in the case of electronic media, an electronic marking. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the Code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as

authorization to commence work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

F. Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code, Energy Code and Stretch Code. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code, Energy Code and Stretch Code.

G. Building Permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.

H. Work to be in accordance with construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.

I. Time limits. Building Permits shall become invalid unless the authorized work is commenced within six (6) months following the date of issuance. Building Permits shall expire six (6) months after the date of issuance, but the Code Enforcement Officer may extend the expiration date for up to two (2) consecutive three month periods. A Building Permit which has become invalid, or which has expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer.

J. The issuance of a building permit shall constitute authority to the applicant to proceed with the work in accordance with the approved construction documents, plans and specifications which were submitted with the building permit application and in accordance with the applicable building laws, ordinances or regulations. The building permit shall contain such a directive. The permit holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The building permit shall contain such a directive. If the Code Enforcement Officer determines that such a change warrants a new or amended building permit, such change shall not be made until and unless a new or amended building permit reflecting such change is issued.

K. Revocation or suspension of Building Permits. If the Code Enforcement Officer determines that a Building Permit was issued in error because of incorrect, inaccurate, or incomplete information, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit until such time as the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.

L. Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this local law must be paid at the time of submission of an application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit.

§59-5. CONSTRUCTION INSPECTIONS.

A. Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by the Code Enforcement Officer. The Permit Holder shall notify the Code Enforcement Officer when any element of work described in subdivision B of this section is ready for inspection.

B. Elements of work to be inspected. The following elements of the construction process shall be inspected, where applicable:

(1) work site prior to the issuance of a Building Permit;

(2) footing and foundation;

(3) preparation for concrete slab;

(4) framing;

(5) structural, electrical, plumbing, mechanical, fire-protection, and other similar service systems of the building;

(6) fire resistant construction;

(7) fire resistant penetrations;

(8) solid fuel burning heating appliances, chimneys, flues, or gas vents;

(9) inspections required to demonstrate Energy Code compliance, including but not

limited to insulation, fenestration, air leakage, system controls, mechanical equipment size, and, where required, minimum fan efficiencies, programmable thermostats, energy recovery, whole-house ventilation, plumbing heat traps, and high-performance lighting and controls;

(10) installation, connection, and assembly of factor manufactured buildings and manufactured homes; and

(12) a final inspection after all work authorized by the Building Permit has been completed.

C. Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform construction inspections, a remote inspection may be performed in lieu of an in-person inspection when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or by such authorized Inspector that the elements of the construction process conform with the applicable requirements of the Uniform Code and Energy Code. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.

D. Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to the manner in which the work fails to comply with the Uniform Code or Energy Code, including a citation to the specific code provision or provisions that have not been met. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.

E. Any building official, upon the showing of proper credentials and in the discharge of his duties, may enter upon any buildings, structure or premises at any reasonable hour, and no person shall interfere with or prevent such entry.

F. Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section.

§59-6. STOP WORK ORDERS.

A. Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:

(1) any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(2) any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(3) any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.

B. Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.

C. Service of Stop Work Orders. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

D. Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder, and any other Person performing, taking part in, or assisting in the work shall immediately cease all work which is the subject of the Stop Work Order, other than work expressly authorized by the Code Enforcement Officer to correct the reason for issuing the Stop Work Order.

E. Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision A of this section, and the

authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under section 17 (Violations) of this local law or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

§59-7. CERTIFICATES OF OCCUPANCY AND CERTIFICATES OF COMPLIANCE

A. Certificates of Occupancy and Certificates of Compliance required. A Certificate of Occupancy or Certificate of Compliance shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy or Certificate of Compliance.

B. Issuance of Certificates of Occupancy and Certificates of Compliance. The Code Enforcement Officer shall issue a Certificate of Occupancy or Certificate of Compliance if the work which was the subject of the Building Permit was completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or subclassification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the building, structure, or work prior to the issuance of a Certificate of Occupancy or Certificate of Compliance. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy or Certificate of Compliance, shall be provided to the Code Enforcement Officer prior to the issuance of the Certificate of Occupancy or Certificate of Compliance:

(1) a written statement of structural observations and/or a final report of special inspections,

(2) flood hazard certifications,

(3) a written statement of the results of tests performed to show compliance with the Energy Code and Stretch Code, and

(4) where applicable, the affixation of the appropriate seals, insignias, and manufacturer’s data plates as required for factory manufactured buildings and/or

manufactured homes.

C. Contents of Certificates of Occupancy and Certificates of Compliance. A Certificate of Occupancy or Certificate of Compliance shall contain the following information:

(1) the Building Permit number, if any;

(2) the date of issuance of the Building Permit, if any;

(3) the name (if any), address and tax map number of the property;

(4) if the Certificate of Occupancy or Certificate of Compliance is not applicable to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy or Certificate of Compliance is issued;

(5) the use and occupancy classification of the structure;

(6) the type of construction of the structure;

(7) the occupant load of the assembly areas in the structure, if any;

(8) any special conditions imposed in connection with the issuance of the Building Permit; and

(9) the signature of the Code Enforcement Officer issuing the Certificate of Occupancy or Certificate of Compliance and the date of issuance.

D. Temporary Certificate of Occupancy. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate of Occupancy allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate of Occupancy unless the Code Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate of Occupancy, may be occupied safely, (2) that any required fire and life safety components, such as fire protection equipment and fire, smoke, carbon monoxide, and heat detectors and alarms are installed and operational, and (3) that all required means of egress from the structure have been provided. The Code Enforcement Officer may include in a Temporary Certificate of Occupancy such terms and conditions as he or she deems necessary or appropriate to ensure the health and safety of the persons occupying and using the building or structure and/or performing further construction work in the building or structure. A Temporary Certificate of Occupancy shall be effective for a

period of time, not to exceed six (6) months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate of Occupancy. During the specified period of effectiveness of the Temporary Certificate of Occupancy, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

E. Revocation or suspension of certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy, Certification of Compliance, or a Temporary Certificate of Occupancy was issued in error or on the basis of incorrect information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

F. Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this local law must be paid at the time of submission of an application for a Certificate of Occupancy, Certificate of Compliance, or for Temporary Certificate of Occupancy.

§59-8. NOTIFICATION REGARDING FIRE OR EXPLOSION.

The chief of any fire department providing firefighting services for a property within this Town shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney, gas vent, commercial hood fire suppression system activation, observation of inoperable fire alarm and detection system.

§59-9. UNSAFE BUILDINGS, STRUCTURES, AND EQUIPMENT AND CONDITIONS OF IMMINENT DANGER

Unsafe buildings, structures, and equipment and conditions of imminent danger in this Town shall be identified and addressed in accordance with the procedures in Chapter 63 of the Code of the Town of Manlius, as now in effect or as hereafter amended from time to time.

§59-10. OPERATING PERMITS.

A. Operation Permits required. Operating Permits shall be required for conducting any process or activity or for operating any type of building, structure, or facility listed below:

(1) manufacturing, storing, or handling hazardous materials in quantities exceeding those listed in the applicable Maximum Allowable Quantity tables found in Chapter 50 of the FCNYS;

(2) buildings, structures, facilities, processes, and/or activities that are within the scope and/or permit requirements of the chapter or section title of the FCNYS as follows, if applicable:

(a) Chapter 22, "Combustible Dust-Producing Operations." Facilities where the operation produces combustible dust;

(b) Chapter 24, "Flammable Finishes." Operations utilizing flammable or combustible liquids, or the application of combustible powders regulated by Chapter 24 of the FCNYS;

(c) Chapter 25, "Fruit and Crop Ripening." Operating a fruit- or crop-ripening facility or conducting a fruit-ripening process using ethylene gas;

(d) Chapter 26, "Fumigation and Insecticidal Fogging." Conducting fumigation or insecticidal fogging operations in buildings, structures, and spaces, except for fumigation or insecticidal fogging performed by the occupant of a detached one-family dwelling;

(e) Chapter 31, "Tents, Temporary Special Event Structures, and Other Membrane Structures." Operating an air-supported temporary membrane structure, a temporary special event structure, or a tent where approval is required pursuant to Chapter 31 of the FCNYS;

(f) Chapter 32, "High-Piled Combustible Storage." High-piled combustible storage facilities with more than 500 square feet (including aisles) of high-piled storage;

(g) Chapter 34, "Tire Rebuilding and Tire Storage." Operating a facility that stores in excess of 2,500 cubic feet of scrap tires or tire byproducts or operating a tire rebuilding plant;

(h) Chapter 35, "Welding and Other Hot Work." Performing public exhibitions and demonstrations where hot work is conducted, use of hot work, welding, or cutting equipment, inside or on a structure, except an operating permit is not required where work is conducted under the authorization of a building permit or where performed by the occupant of a detached one- or two-family dwelling;

(i) Chapter 40, "Sugarhouse Alternative Activity Provisions." Conducting an alternative activity at a sugarhouse;

(j) Chapter 56, "Explosives and Fireworks." Possessing, manufacturing, storing, handling, selling, or using, explosives, fireworks, or other pyrotechnic special effects materials except the outdoor use of sparkling devices as defined by Penal Law section 270;

(k) Section 307, "Open Burning, Recreational Fires and Portable Outdoor Fireplaces." Conducting open burning, not including recreational fires and portable outdoor fireplaces;

(l) Section 308, "Open Flames." Removing paint with a torch, or using open flames, fire, and burning in connection with assembly areas or educational occupancies; and

(m) Section 319, "Mobile Food Preparation Vehicles." Operating a mobile food preparation vehicle in accordance with the permitting requirements established by the Town Code, as now in effect or as hereafter amended from time to time.

(3) energy storage systems, where the system exceeds the values shown in Table 1206.1 of the FCNYS or exceeds the permitted aggregate ratings in section R327.5 of the RCNYS.

(4) buildings containing one or more assembly areas;

(5) outdoor events where the planned attendance exceeds 100 persons;

(6) facilities that store, handle or use hazardous production materials;

(7) parking garages as defined in subdivision A of section 13 of this local law;

(8) buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Town Board; and

(9) other processes or activities or for operating any type of building, structure, or facility as determined by resolution adopted by the Town Board. Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision 59-10 shall be required to obtain an Operating Permit prior to commencing such activity or operation.

B. Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.

C. Exemptions. Operating permits shall not be required for processes or activities, or the buildings, structures, or facilities listed in paragraphs (1) through (7) of subdivision A of this section, provided that the use is expressly authorized by a certificate of occupancy or certificate of compliance, fire safety and property maintenance inspections are performed in accordance with section 11 (Fire Safety and Property Maintenance Inspections) of this local law, and condition assessments are performed in compliance with section 13 (Condition Assessments of Parking Garages) of this local law, as applicable.

D. Inspections. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the subject premises prior to the issuance of an Operating Permit. Such inspections shall be performed either in-person or remotely. Remote inspections in lieu of in-person inspections may be performed when, at the discretion of the Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or Inspector authorized by the Code Enforcement Officer that the premises conform with the applicable requirements of the Uniform Code and the code enforcement program. Should a remote inspection not afford the Town sufficient information to make a determination, an in-person inspection shall be performed. After inspection, the premises shall be noted as satisfactory and the operating permit shall be issued, or the operating permit holder shall be notified as to the manner in which the premises fail to comply with either or both of the Uniform Code and the code enforcement program, including a citation to the specific provision or provisions that have not been met.

E. Multiple Activities. In any circumstance in which more than one activity listed in subdivision A of this section is to be conducted at a location, the Code Enforcement Officer may require a separate Operating Permit for each such activity, or the Code Enforcement Officer may, in their discretion, issue a single Operating Permit to apply to all such activities.

F. Duration of Operating Permits. Operating permits shall be issued for a specified period of time consistent with local conditions, but in no event to exceed as follows:

(1) 180 days for tents, special event structures, and other membrane structures;

(2) 60 days for alternative activities at a sugarhouse;

(3) Three (3) years for the activities, structures, and operations determined per paragraph (9) of subdivision A of this section, and

(4) One (1) year for all other activities, structures, and operations identified in subdivision A of this section.

The effective period of each Operating Permit shall be specified in the Operating Permit. An Operating Permit may be reissued or renewed upon application to the Code Enforcement Officer, payment of the applicable fee, and approval of such application by the Code Enforcement Officer.

G. Revocation or suspension of Operating Permits. If the Code Enforcement Officer determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provision of the Uniform Code, such Operating Permit shall be revoked or suspended.

H. Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this local law must be paid at the time submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

§59-11. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS

A. Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer, or an Inspector designated by the Code Enforcement Officer at the following intervals:

(1) at least once every 12 months for buildings which contain an assembly area;

(2) at least once every 12 months for public and private schools and colleges, including any buildings of such schools or colleges containing classrooms, dormitories, fraternities, sororities, laboratories, physical education, dining, or recreational facilities; and

(3) at least once every 36 months for multiple dwellings and all nonresidential occupancies.

B. Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform fire safety and property maintenance inspections, a remote inspection may be performed in lieu of in-person inspections when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or such authorized Inspector that the premises conform with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.

C. Inspections permitted. In addition to the inspections required by subdivision A of this section, a fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the Code Enforcement Officer or an Inspector authorized to perform fire safety and property maintenance inspections at any time upon:

(1) the request of the owner of the property to be inspected or an authorized agent of such owner;

(2) receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or

(3) receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist, provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

D. OFPC Inspections. Nothing in this section or in any other provision of this local law shall supersede, limit, or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control ("OFPC") and the New York State Fire Administrator or other authorized entity under Executive Law section 156-e and Education Law section 807-b.

E. Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this local law must be paid prior to or at the time each inspection performed pursuant to this section. This subdivision shall not apply to inspections performed by OFPC.

§59-12. COMPLAINTS

A. The Code Enforcement Officer shall review and investigate written complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this local law, any other local law, ordinance, or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a written complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

(1) performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;

(2) if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in section 17 (Violations) of this local law;

(3) if appropriate, issuing a Stop Work Order;

(4) if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

§59-13. CONDITION ASSESSMENTS OF PARKING GARAGES.

A. Definitions. For the purposes of this section:

(1) the term “condition assessment” means an on-site inspection and evaluation of a parking garage for evidence of deterioration of any structural element or building component of such parking garage, evidence of the existence of any unsafe condition in such parking garage, and evidence indicating that such parking garage is an unsafe structure;

(2) the term “deterioration” means the weakening, disintegration, corrosion, rust, or decay of any structural element or building component, or any other loss of effectiveness of a structural element or building component;

(3) the term “parking garage” means any building or structure, or part thereof, in which all or any part of any structural level or levels is used for parking or storage of motor vehicles, excluding:

(a) buildings in which the only level used for parking or storage of motor vehicles is on grade;
(b) an attached or accessory structure providing parking exclusively for a detached one- or two-family dwelling; and
(c) a townhouse unit with attached parking exclusively for such unit;

(4) the term “professional engineer” means an individual who is licensed or otherwise authorized under Article 145 of the Education Law to practice the profession of engineering in the State of New York and who has at least three years of experience performing structural evaluations;

(5) the term “responsible professional engineer” means the professional engineer who performs a condition assessment, or under whose supervision a condition assessment is performed, and who seals and signs the condition assessment report. The use of the term “responsible professional engineer” shall not be construed as limiting the professional responsibility or liability of any professional engineer, or of any other licensed professional, who participates in the preparation of a condition assessment without being the responsible professional engineer for such condition assessment.

(6) the term “unsafe condition” includes the conditions identified as “unsafe” in section 304.1.1, section 305.1.1, and section 306.1.1 of the PMCNYS; and

(7) the term “unsafe structure” means a structure that is so damaged, decayed, dilapidated, or structurally unsafe, or is of such faulty construction or unstable foundation, that partial or complete collapse is possible.

B. Condition Assessments – general requirements. The owner operator of each parking garage shall cause such parking garage to undergo an initial condition assessment as described in subdivision C of this section, periodic condition assessments as described in subdivision D of this section, and such additional condition assessments as may be required under subdivision E of this section. Each condition assessment shall be conducted by or under the direct supervision

of a professional engineer. A written report of each condition assessment shall be prepared, and provided to the Town, in accordance with the requirements of subdivision F of this section. Before performing a condition assessment (other than the initial condition assessment) of a parking garage, the responsible professional engineer for such condition assessment shall review all available previous condition assessment reports for such parking garage.

C. Initial Condition Assessment. Each parking garage shall undergo an initial condition assessment as follows:

(1) Parking garages constructed on or after August 29, 2018, shall undergo an initial condition assessment following construction and prior to a certificate of occupancy or certificate of compliance being issued for the structure.

(2) Parking garages constructed prior to August 29, 2018, shall undergo an initial condition assessment as follows:

(a) if originally constructed prior to January 1, 1984, then prior to October 1, 2019;

(b) if originally constructed between January 1, 1984 and December 31, 2002, then prior to October 1, 2020; and

(c) if originally constructed between January 1, 2003 and August 28, 2018, then prior to October 1, 2021.

(3) Any parking garage constructed prior to the effective date of the local law enacting this provision that has not undergone an initial condition assessment prior to that effective date shall undergo an initial condition assessment prior to six (6) months after the effective date of this local law.

D. Periodic Condition Assessments. Following the initial condition assessment of a parking garage, such parking garage shall undergo periodic condition assessments at intervals not to exceed 3 years.

E. Additional Condition Assessments.

(1) If the latest condition assessment report for a parking garage includes a recommendation by the responsible professional engineer that an additional condition assessment of such parking garage, or any portion of such parking garage, be performed before the date by which the next periodic condition assessment would be

required under subdivision C of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of such parking garage identified by the responsible professional engineer) to undergo an additional condition assessment no later than the date recommended in such condition assessment report.

(2) If the Town becomes aware of any new or increased deterioration which, in the judgment of the indicates that an additional condition assessment of the entire parking garage, or of the portion of the parking garage affected by such new or increased deterioration, should be performed before the date by which the next periodic condition assessment would be required under subdivision C of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of the parking garage affected by such new or increased deterioration) to undergo an additional condition assessment no later than the date determined by the Town to be appropriate.

F. Condition Assessment Reports. The responsible professional engineer shall prepare, or directly supervise the preparation of, a written report of each condition assessment, and shall submit such condition assessment report to the Town within the specified time as fixed by the Town. Such condition assessment report shall be sealed and signed by the responsible professional engineer, and shall include:

(1) an evaluation and description of the extent of deterioration and conditions that cause deterioration that could result in an unsafe condition or unsafe structure;

(2) an evaluation and description of the extent of deterioration and conditions that cause deterioration that, in the opinion of the responsible professional engineer, should be remedied immediately to prevent an unsafe condition or unsafe structure;

(3) an evaluation and description of the unsafe conditions;

(4) an evaluation and description of the problems associated with the deterioration, conditions that cause deterioration, and unsafe conditions;

(5) an evaluation and description of the corrective options available, including the recommended timeframe for remedying the deterioration, conditions that cause deterioration, and unsafe conditions;

(6) an evaluation and description of the risks associated with not addressing the

deterioration, conditions that cause deterioration, and unsafe conditions;

(7) the responsible professional engineer's recommendation regarding preventative maintenance;

(8) except in the case of the report of the initial condition assessment, the responsible professional engineer's attestation that he or she reviewed all previously prepared condition assessment reports available for such parking garage, and considered the information in the previously prepared reports while performing the current condition assessment and while preparing the current report; and

(9) the responsible professional engineer's recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed. In making the recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed, the responsible professional engineer shall consider the parking garage's age, maintenance history, structural condition, construction materials, frequency and intensity of use, location, exposure to the elements, and any other factors deemed relevant by the responsible professional engineer in their professional judgment.

G. Review Condition Assessment Reports. The Town shall take such enforcement action or actions in response to the information in such condition assessment report as may be necessary or appropriate to protect the public from the hazards that may result from the conditions described in such report. In particular, but not by way of limitation, the Town shall, by Order to Remedy or such other means of enforcement as the Town may deem appropriate, require the owner or operator of the parking garage to repair or otherwise remedy all deterioration, all conditions that cause deterioration, and all unsafe conditions identified in such condition assessment report pursuant to paragraphs (2) and (3) of subdivision F. All repairs and remedies shall comply with the applicable provisions of the Uniform Code. This section shall not limit or impair the right of the Town to take any other enforcement action, including but not limited to suspension or revocation of a parking garage's operating permit, as may be necessary or appropriate in response to the information in a condition assessment report.

H. The Town shall retain all condition assessment reports for the life of the parking garage. Upon request by a professional engineer who has been engaged to perform a condition assessment of a parking garage, and who provides the Town with a written statement attesting to the fact that he or she has been so engaged, the Town shall make the previously prepared condition assessment reports for such parking garage (or copies of such reports) available to such professional engineer. The Town shall be permitted to require the owner or operator of the

subject parking garage to pay all costs and expenses associated with making such previously prepared condition assessment reports (or copies thereof) available to the professional engineer.

I. This section shall not limit or impair the right or the obligation of the Town:

(1) to perform such construction inspections as are required by section 5 (Construction Inspections) of this local law;

(2) to perform such periodic fire safety and property maintenance inspections as are required by section 11 (Fire Safety and Property Maintenance Inspections) of this local law; and/or

(3) to take such enforcement action or actions as may be necessary or appropriate to respond to any condition that comes to the attention of the Town by means of its own inspections or observations, by means of a complaint, or by any other means other than a condition assessment or a report of a condition assessment.

§59-14. CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA.

A. The Code Enforcement Officer shall determine the climatic and geographic design criteria for buildings and structures constructed within this Town as required by the Uniform Code. Such determinations shall be made in the manner specified in the Uniform Code using, where applicable, the maps, charts, and other information provided in the Uniform Code. The criteria to be so determined shall include but shall not necessarily be limited to, the following:

(1) design criteria to include ground snow load; wind design loads; seismic category; potential damage from weathering, frost, and termite; winter design temperature; whether ice barrier underlayment is required; the air freezing index; and the mean annual temperature;

(2) heating and cooling equipment design criteria for structures within the scope of the RCNYS. The design criteria shall include the data identified in the Design Criteria Table found in Chapter 3 of the RCNYS; and

(3) flood hazard areas, flood hazard maps, and supporting data. The flood hazard map shall include, at a minimum, special flood hazard areas as identified by the Federal Emergency Management Agency in the Flood Insurance Study for the community, as amended or revised with:

(a) the accompanying Flood Insurance Rate Map (FIRM);

(b) Flood Boundary and Floodway Map (FBFM); and

(c) related supporting data along with any revisions thereto.

B. The Code Enforcement Officer shall prepare a written record of the climatic and geographic design criteria determined pursuant to subdivision A of this section, shall maintain such record within the office of the Code Enforcement Officer, and shall make such record readily available to the public.

§59-15. RECORD KEEPING.

A. The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

(1) all applications received, reviewed and approved or denied;

(2) all plans, specifications and construction documents approved;

(3) all Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Stop Work Orders, and Operating Permits issued;

(4) all inspections and tests performed;

(5) all statements and reports issued;

(6) all complaints received;

(7) all investigations conducted;

(8) all condition assessment reports received;

(9) all fees charged and collected; and

(10) all other features and activities specified in or contemplated by sections 4 through 14, inclusive, of this local law.

B. All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances

thereto, shall be retained for at least the minimum time period so required by State law and regulation.

§59-16. PROGRAM REVIEW AND REPORTING

A. The Code Enforcement Officer shall annually submit to the Town Board a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in section 14 (Record Keeping) of this local law and a report and summary of all appeals or litigation pending or concluded.

B. The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this Town, on a form prescribed by the Secretary of State, a report of the activities of this Town relative to administration and enforcement of the Uniform Code.

C. The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, true and complete copies of the records and related materials this Town is required to maintain; true and complete copies of such portion of such records and related materials as may be requested by the Department of State; and/or such excerpts, summaries, tabulations, statistics, and other information and accounts of its activities in connection with administration and enforcement of the Uniform Code and/or Energy Code as may be requested by the Department of State.

§59-17. VIOLATIONS

A. Orders to Remedy. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. An Order to Remedy shall be in writing; shall be dated and signed by the Code Enforcement Officer; shall specify the condition or activity that violates the Uniform Code, the Energy Code, or this local law; shall specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; and shall include a statement substantially similar to the following:

"The person or entity served with this Order to Remedy must completely remedy each violation described in this Order to Remedy by _____ [*specify date*], which is thirty (30) days after the date of this Order to Remedy."

The Order to Remedy may include provisions ordering the person or entity served with such Order to Remedy (1) to begin to remedy the violations described in the Order to Remedy

immediately, or within some other specified period of time which may be less than thirty (30) days; to continue diligently to remedy such violations until each such violation is fully remedied; and, in any event, to complete the remedying of all such violations within thirty (30) days of the date of such Order to Remedy; and/or (2) to take such other protective actions (such as vacating the building or barricading the area where the violations exist) which are authorized by this local law or by any other applicable statute, regulation, rule, local law or ordinance, and which the Code Enforcement Officer may deem appropriate, during the period while such violations are being remedied. The Code Enforcement Officer shall cause the Order to Remedy, or a copy thereof, to be served on the owner of the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy. The Code Enforcement Officer shall be permitted, but not required, to cause the Order to Remedy, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other person taking part or assisting in work being performed at the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

B. Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code.

C. Penalties. In addition to such other penalties as may be prescribed by State law,

(1) any Person who violates any provision of this local law or any term, condition, or provision of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be punishable by a fine of not more than $1000.00 per day of violation, or imprisonment not exceeding 15 days, or both; and

(2) any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be liable to pay a civil penalty of not more than $1000.00 for each day or part thereof during which such violation continues. The civil penalties provided by this paragraph shall be recoverable in an action instituted in the name of this Town.

D. Injunctive Relief. An action or proceeding may be instituted in the name of this Town, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit, Order to Remedy, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Order to Remedy or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of Town, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Town Board.

E. Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

§ 59-18. **TESTS.**

Whenever there are reasonable grounds to believe that any material, construction, equipment or assembly does not conform with the requirements of this chapter or other applicable building laws, ordinances, rules or regulations, the Codes Enforcement Officer may require the same to be subjected to tests in order to furnish proof of such compliance.

§ 59-19. **CONDITIONS FOR APPROVAL OF INDEPENDENT ELECTICAL INSPECTION FIRMS.**

The Town Board of the Town of Manlius may from time to time approve independent electrical inspection firms to see that the properties and construction in the Town of Manlius conform to the New York State Uniform Fire Prevention and Building Code and the local laws, rules and regulations as the Town of Manlius shall deem applied. The approved independent electrical inspection firms shall be those that:

A. File with and keep in force a liability policy of $10,000,000 issued by a company licensed to do business in New York State. The liability policy shall name the Town of Manlius as an additional insured and shall by its terms protect the Town of Manlius from any and all liability, active or passive, or claims or causes of action for personal injury or property damage that arise out of the actions of a member or representative of the approved electrical inspection firm performing electrical inspections in the Town of Manlius for or on the behalf of the Town of Manlius or to enforce code compliance with the New York State Uniform Fire Prevention and Building Code and the applicable standards of this chapter or any other code.

B. Shall be accepted by the utilities serving the Town of Manlius, Onondaga County, New York State.

C. In the sole opinion of the Town Board, maintain a suitable office and ample, trained staff to service the Town of Manlius and its residents.

D. In the sole opinion of the Town Board, has performed satisfactorily in services rendered in the Town of Manlius and remains capable of performing such services.

§ 59-20. AUTHORIZATION TO MAKE INSPECTION

The chief inspector and each of the duly appointed inspectors of an approved electrical inspection firm are hereby authorized and deputized as agents of the town to make inspections and reinspections of all electrical installations hereinafter described and to approve or disapprove the same. In no event, however, will the cost or expense of such inspections and reinspections be a charge against the town.

§ 59-21. POWERS AND DUTIES OF INSPECTOR.

A. It shall be the duty of the inspector to report to the Codes Enforcement Officer all violations of or deviations from or omissions of the electrical provisions of the New York State Uniform Fire Prevention and Building Code[1] and this chapter. The inspector shall make inspections and reinspections of electrical installations in and on properties in the town upon the

written request of the Codes Enforcement Officer or Chief of the Fire Department or as herein provided.

B. The inspector is authorized to make inspections and reinspections of electrical wiring installations, devices, appliances and equipment in and on properties within the town where he deems it necessary for the protection of life and property, with the exception of single-family dwellings. He shall inspect single-family dwellings only upon request of the Codes Enforcement Officer or the Chief of the Fire Department.

C. In the event of an emergency, it is the duty of the inspector to make electrical inspections upon the oral request of an official or officer of the town.

D. It shall be the duty of the inspector to furnish written reports to the proper officials of the town and owners and/or lessees of property where defective electrical installations and equipment are found upon inspection.

E. He shall authorize the issuing of a certificate of compliance when electrical installations and equipment are in conformity with the New York State Uniform Fire Prevention and Building Code[2] or with this chapter, and he shall direct that a copy of the certificate of compliance be sent to the Codes Enforcement Officer.

§ 59-22. NO WAIVER OR ASSUMPTION OF LIABILITY

This chapter shall not be construed to relieve from or lessen the responsibility of any person owning, operating, controlling or installing any electrical wiring, devices, appliances or equipment for loss of life or damage to person or property caused by any defect therein, nor shall the town or an approved electrical inspection firm be deemed to have assumed any such liability by reason of any inspection made pursuant to this chapter.

§59-23. FEES

A fee schedule shall be established by resolution of Town Board. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law.

§59-24. INTERMUNICIPAL AGREEMENTS

The Town Board may, by resolution, authorize the Supervisor to enter into an agreement, in the name of the Town, with other governments to carry out the terms of this local law, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

§59-25. PARTIAL INVALIDITY

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

§59-26. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Section 3. This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

WHEREAS, based on review of the short environmental assessment form, the Town Board declared itself lead agency under the State Environmental Quality Review Act (SEQRA) and found at its December 7, 2022 meeting that Local Law 2022-__ will not have a significant affect on the environment because several of the changes to the existing Building and Fire Code are meant to improve the environmental review of the issuance of building permits;

WHEREAS, the Town Board held a public hearing on December 7, 2022 at which time the public was given the opportunity to speak in favor of or against Local Law 2022-___;

WHEREAS, at the recommendation of the Town Attorney and the Code Enforcement Officer of the Town the Town Board believes the changes required by the State of New York are in the best interest of the Town;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Manlius, County of Onondaga, State of New York, hereby adopts Local Law 2022-___ as set forth in the foregoing Resolution; and be it further

RESOLVED, that the Town Clerk is hereby directed to file Local Law 2022-__ with the Secretary of State within 20 days of its adoption and pursuant to Municipal Home Rule Law.

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 7th day of December 2022; 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 7 th day of December, 2022.

DATED: December 7, 2022
Fayetteville, New York

_____

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

NOTICE OF JOINT MEETING OF

THE TOWN BOARD OF THE TOWN OF MANLIUS

AND THE VILLAGE BOARD OF THE VILLAGE OF MINOA AND

THE EAST-SYRACUSE MINOA SCHOOL DISTRICT

A Proposal to Annex Territory from the Town of Manlius, New York to Village of Minoa, New York

NOTICE IS HEREBY GIVEN, that a petition for consent to municipal annexation, pursuant to General Municipal Law Article 17 (the "Petition"), has been received by the Town Board of the Town of Manlius, Onondaga County, New York (the "Town"), the Village Board of the Village of Minoa, Onondaga County, New York (the "Village") and the East Syracuse-Minoa School District (the "District") for the annexation of the following described territory situated in the Town to the Village (the "Proposed Annexation"): 4.572 acres of land located within tax map no. 055.-01-06.0 (the "Premises"). The Petition was proposed by the owners of a majority of the total assessed valuation of the Premises as determined on the last tax roll.

NOTICE IS FURTHER GIVEN pursuant to General Municipal Law Article 17, that on Wednesday, January 11, 2023, at 6:35 o'clock in the evening, at the Municipal Building of the Town, located at 301 Brooklea Drive, Fayetteville, New York 13066, a joint meeting will be held by the aforesaid Municipalities' Boards and District whereby the question of consent to said Proposed Annexation will be considered. At such time and place all persons receiving this Notice of Meeting may be heard. Objections, if any, shall, in addition to oral testimony thereon, be presented at said meeting. You may attend the public hearing in-person or virtually. If you would like to attend the public hearing virtually and provide comment, you may do so by following the instructions that will be provided on the town website at www.townofmanlius.org. The Town is also accepting written communications by email at aweber@townofmanlius.org and by regular USPS mail attention: Allison Weber, Manlius Town Clerk at 301 Brooklea Dr. Fayetteville NY 13066. If you have questions or would like to communicate your comments by phone, please call the Town Clerk's Office at 315-637-3521 Monday-Friday 8:30 AM to 4:30 PM.

Dated: December 7, 2022

NOTICE OF JOINT MEETING OF

THE TOWN BOARD OF THE TOWN OF MANLIUS

AND THE VILLAGE BOARD OF THE VILLAGE OF MINOA AND

THE EAST-SYRACUSE MINOA SCHOOL DISTRICT

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NOTICE IS FURTHER GIVEN pursuant to General Municipal Law Article 17, that on Wednesday, January 11, 2023, at 6:35 o'clock in the evening, at the Municipal Building of the Town, located at 301 Brooklea Drive, Fayetteville, New York 13066, a joint meeting will be held by the aforesaid Municipalities' Boards and District whereby the question of consent to said Proposed Annexation will be considered. At such time and place all persons receiving this Notice of Meeting may be heard. Objections, if any, shall, in addition to oral testimony thereon, be presented at said meeting. You may attend the public hearing in-person or virtually. If you would like to attend the public hearing virtually and provide comment, you may do so by following the instructions that will be provided on the town website at www.townofmanlius.org. The Town is also accepting written communications by email at aweber@townofmanlius.org and by regular USPS mail attention: Allison Weber, Manlius Town Clerk at 301 Brooklea Dr. Fayetteville NY 13066. If you have questions or would like to communicate your comments by phone, please call the Town Clerk's Office at 315-637-3521 Monday-Friday 8:30 AM to 4:30 PM.

Dated: December 7, 2022

PETITION FOR THE ANNEXATION OF TERRITORY ADJOINING THE VILLAGE OF MINOA IN THE TOWN OF MANLIUS, ONONDAGA COUNTY, NEW YORK

For Presentation to the Town Board of the Town of Manlius and the Village Board of the Village of Minoa

Pursuant to Article 17 of the General Municipal Law of the State of New York, Petitioners John Greiner and Linda Greiner hereby petition to annex to the Village of Minoa the territory in the Town of Manlius described on Schedule A attached to this Petition. The territory sought to be annexed adjoins the Village of Minoa. The Village of Minoa was incorporated as such in 1913.

1. John and Linda Greiner are the sole owners of the entire assessed valuation of the real property in the territory sought to be annexed as shown on the last preceding Assessment Roll of the Town of Manlius, which was filed in the Town of Manlius Clerk's Office on July 1, 2022.

2. The Petitioner's mailing address is 7364 Kirkville Road, East Syracuse, New York 13057.

3. Currently no persons reside in the territory sought to be annexed.

4. Attached as Schedule B to this Petition is a certificate of the Assessor responsible for the preparation of the Assessment Roll for the Town of Manlius, certifying that Petitioners are the sole owners of more than 50 percent in assessed valuation of the real property in the territory sought to be annexed upon the last preceding Assessment Roll of the Town of Manlius.

Town of Manlius
Town Clerks Office

OCT 31 2022

Received and Filed

SCHEDULE A

DESCRIPTION OF PARCEL OF LAND PROPOSED
TO BE ANNEXED TO THE VILLAGE OF MINOA

That parcel of land identified as "Lot 2" on the subdivision map dated December 21, 2020 and attached hereto as Exhibit "1" and consisting of approximately 4.572 acres of Tax Map Parcel No. 055.-01-06.0 in the Town of Manlius.

PETITIONERS:

John Greiner

Linda Greiner

STATE OF NEW YORK)
) ss.:
COUNTY OF ONONDAGA)

On the 31st day of October in the year 2022 before me, the undersigned, a notary public in and for said State, personally appeared John Greiner and Linda Greiner, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the individuals executed this instrument.

Lisa A. Smith
Notary Public

LISA A. SMITH
NOTARY PUBLIC-STATE OF NEW YORK
No. 01SM6273187
Qualified in Onondaga County
My Commission Expires 12-03-2024

SCHEDULE B

STATE OF NEW YORK)
COUNTY OF ONONDAGA) ss.:

I, Patrick Duffy, Assessor for the Town of Manlius, Onondaga County, State of New York, do hereby certify:

1. I am the duly appointed Assessor for the Town of Manlius and prepared the 2022 Assessment Roll for the Town of Manlius, a certified copy of which was filed with the Town Clerk for the Town of Manlius on or about July 1, 2022.

2. The real property described in Schedule A of the Petition for Annexation that is proposed to be annexed to the Village of Minoa (hereafter "Lot 2") is situate in the Town of Manlius, and consists of approximately 4.572 acres of the parcel identified as Tax Map Parcel No. 055.-01-06.0.

3. Lot 2 has not been individually assessed on any Assessment Roll.

4. Tax Map Parcel No. 055.-01-06.0, within which Lot 2 is situated, comprises 6.57 acres in the Town of Manlius and is assessed on the Assessment Roll of the Town of Manlius for the year 2022, which is the last preceding Assessment Roll of the Town.

5. The total assessed valuation on the Assessment Roll of Tax Map Parcel No. 055.-01-06.0 is $7,300.

6. The Petitioners are the owner of more than fifty percent (50%) of the total assessed valuation of real property within the area sought to be annexed and, thus, represent a majority in assessed valuation of the real property in such territory assessed upon the last preceding Assessment Roll for the Town of Manlius.

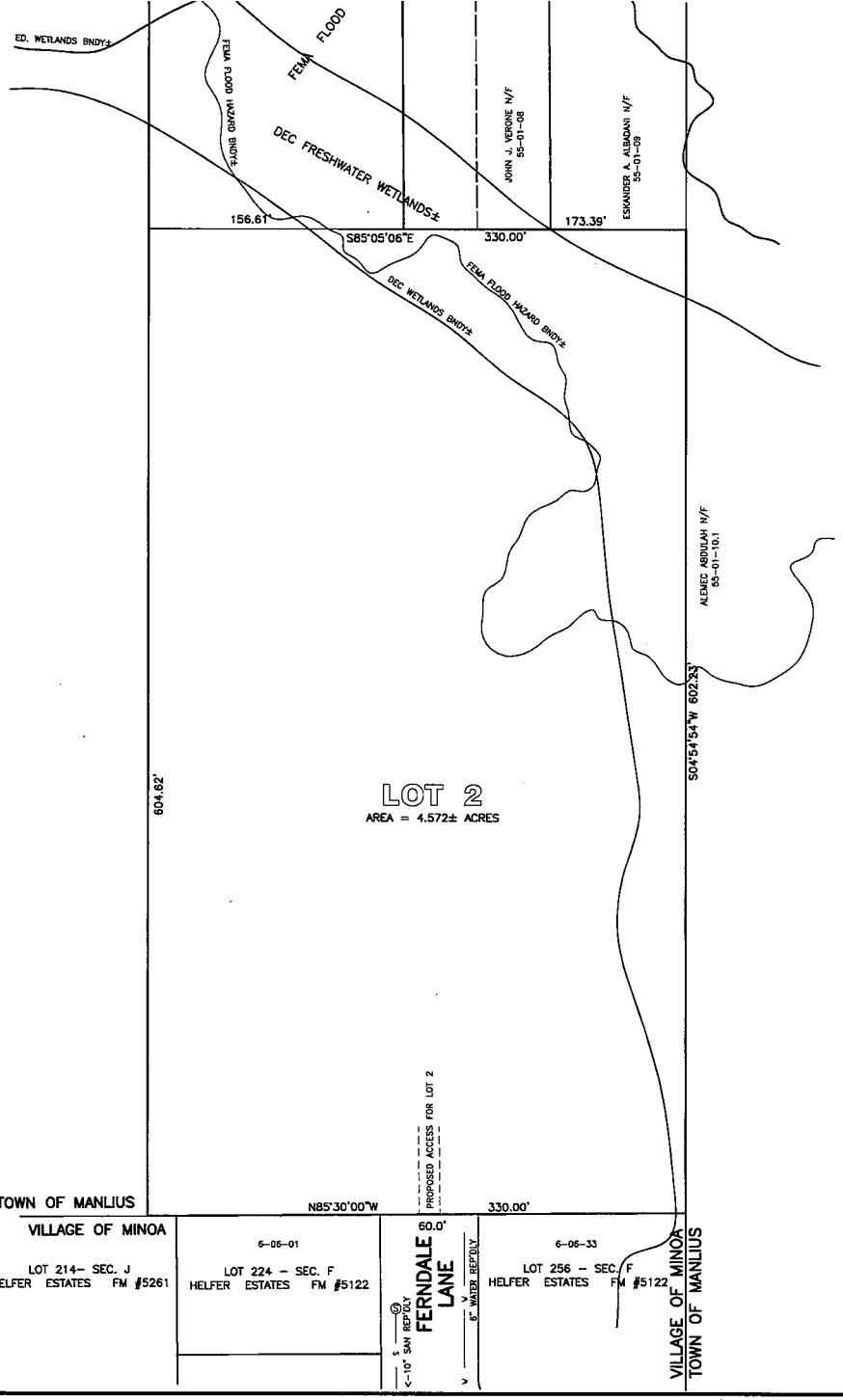
Dated: 11/8/22

Patrick Duffy
Assessor, Town of Manlius

Sworn to before me this
8th day of November, 2022

Notary Public

Allison A. Weber
Notary Public, State of New York
No. 01WE6191206
Qualified in Onondaga County
Commission Expires August 04, 2024



I HEREBY APPROVE THIS TRACT MAP.

JOHN & LINDA GREINER
7364 KIRKVILLE RD.
EAST SYRACUSE, NY 13057

THE UNDERSIGNED CERTIFIES THAT THIS MAP WAS MADE FROM AN ACTUAL SURVEY ON 12-21-2020
VOID WITHOUT SIGNER'S EMBOSSED SEAL.

NOT A VALID SUBDIVISION WITHOUT RECORDING DATA OF THE MAP FILING WITH THE ONONDAGA COUNTY CLERK'S OFFICE.

RECEIVED
OCT 24 2022
By

WETLANDS AND FLOOD HAZARD AREA BOUNDARIES ARE SCALED REPRESENTATIONS SUBJECT TO ACTUAL DELINEATION.

ZONING: RESTRICTED AGRICULTURE

TOTAL AREA = 8.001± ACRES (INCLUDING ROADS)

50 0 50 100 150
GRAPHIC SCALE - FEET

KIRKVILLE $7364 MAN34 {HELF251} (ADD) ©20201221SUB-R#.DWG

- FINAL PLAN -

JOHN & LINDA GREINER SUBDIVISION
PART OF LOT 34 - TOWN OF MANLIUS
ONONDAGA COUNTY, N. Y.

I.D: 55-01-05	FILE:	
DATE: 12-21-2020	SCALE: 1" = 50'	B/P: 416/131

REVISIONS			

COTTRELL LAND SURVEYORS, PC.
7308 STATE RTE 173, MANLIUS, NY 13104
(315)682-8121, WWW.COTTRELLSURVEYORS.COM

Petition for Annexation
From The Town of Manlius To the Village of Minoa

I the undersigned owner of real property respectfully request that the area described below be annexed to the Village of Minoa.

The area to be annexed is all that tract or parcel of land situated in the Town of Manlius, County of Onondaga and State of New York, being part of Lot 34 in said town. The Address is 7235 North Central Avenue, Minoa, Tax Parcel ID number 054.-02-26.1. It is contiguous to the Village of Minoa and the boundaries of such territory are as follows:

BEGINNING at a point in the northerly line of North Central Avenue at the intersection of said northerly line with a Westerly Corporation Line of the Village of Minoa in Lot 34 Town of Manlius, (said point of beginning being also 1235.95 feet westerly along the said northerly line of North Central Avenue form the intersection of said northerly line with the westerly line of Ferndale Lane).

RUNNING thence South 88°-10'-00" West a distance of 337.20 feet along the northerly line of North Central Avenue to an angle point.

THENCE South 88°-06'-35" West a distance of 110.52 feet along the northerly Line of North Central Avenue to a point in the easterly line of lands of the East Syracuse Minoa Central School District.

THENCE North 04°-28'-05" East a distance of 417.34 feet along the easterly line of lands of the East Syracuse Minoa Central School District to a point in a Southerly Corporation Line of the Village of Minoa, said point being also located in the Southerly line of Section G Canterbury Woods Subdivision, filed as Map#5958 in the Onondaga County Clerk's Office.

THENCE South 85°-30'-00" East a distance of 445.0 feet along said southerly Corporation Line of the Village of Minoa, being also the southerly line of said Section G Canterbury Woods Subdivision and along the southerly line of Section F Canterbury Woods Subdivision, filed as Map #5799 in the Onondaga County Clerk's Office to a point in the southerly line of Lot 2 Section F Canterbury Woods Subdivision, said point being an interior angle point in said Village of Minoa Corporation Line.

THENCE South 04°-28'-05" West a distance of 367.85 feet along the said westerly Village of Minoa Corporation Line. Being also along an easterly line of the Town of Manlius to a point in the northerly line of North Central Avenue and the point of beginning.

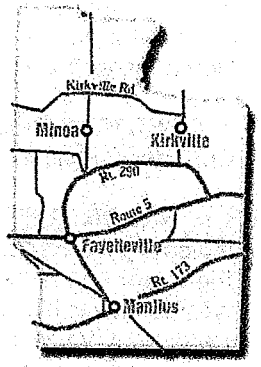
This is a vacant piece of land that has no inhabitants.

Sharon Caron

Sharon Caron, Owner
Date 11/29/2022

Town of Manlius

Department of Assessments



November 30, 2022

Sharon Caron
7990 Blarney Stone Way
Manlius, NY 13104

Subject: Petition for Annexation Verification

Dear Ms. Caron,

The purpose of this letter is to verify the assessment information contained in your Petition for Annexation with the exception of the metes and bounds (these would need to be confirmed with a deed and/or survey).

The following information for the subject property is true and accurate:

Tax Parcel ID:	054.-02-26.1
Property Class:	330 – Commercial Vacant
Lot Size:	3.79 Acres
School District:	East Syracuse-Minoa
Land Assessment:	$ 9,900
Total Assessment:	$ 9,900
Contiguous to the Village of Minoa:	Yes

Should you have any other questions, or if I can be of further assistance, please do not hesitate to contact me at (315) 637-9854.

Sincerely,

PATRICK J. DUFFY, IAO
Sole Assessor

301 Brooklea Drive • Fayetteville, NY 13066 • Telephone: (315) 637-5188 • Telephone: (315) 637-0713
www.townofmanlius.org

WARRANTY DEED WITH LIEN COVENANT

THIS INDENTURE, made the 3rd day of September 2008
BETWEEN,
NORMAN E. ABBOTT and KAREN L. ABBOTT, husband and wife of 6869 Law Drive, East Syracuse, New York 13057 GRANTOR,
and,

SHARON CARON,
of 7990 Blarney Stone Way, Manlius, New York 13104, GRANTEE,

WITNESSETH, the grantors, in consideration of ONE DOLLAR AND NO CENTS ($1.00) Dollars, paid by the grantee, hereby grants and releases unto the grantee, the heirs or successors and assigns of the grantee forever,

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Manlius, County of Onondaga and State of New York, being part of Lot 34 in said Town and being more specifically described as follows:

BEGINNING at a point in the northerly line of North Central Avenue at the intersection of said northerly line with a Westerly Corporation Line of the Village of Minoa in Lot 34 Town of Manlius, (said point of beginning being also 1235.95 feet westerly along the said northerly line of North Central Avenue from the intersection of said northerly line with the westerly line of Ferndale Lane).

RUNNING thence South 88°-10'-00" West a distance of 337.20 feet along the northerly line of North Central Avenue to an angle point.

THENCE South 88°-06'-35" West a distance of 110.52 feet along the northerly line of North Central Avenue to a point in the easterly line of lands of the East Syracuse-Minoa Central School District.

THENCE North 04°-28'-05" East a distance of 417.34 feet along the easterly line of lands of the East-Syracuse Minoa Central School District to a point in a Southerly Corporation Line of the Village of Minoa, said point being also located in the Southerly line of Section G Canterbury Woods Subdivision, filed as Map #5958 in the Onondaga County Clerk's Office.

THENCE South 85°-30'00" East a distance of 445.0 feet along said southerly Corporation Line of the Village of Minoa, being also the southerly line of said Section G Canterbury Woods Subdivision and along the southerly line of Section F Canterbury Woods Subdivision, field as Map #5799 in the Onondaga County Clerk's Office to a point in the southerly line of Lot 2 Section F Canterbury Woods Subdivision, said point being an interior angle point in said Village of Minoa Corporation Line.

THENCE South 04°-28'-05" West a distance of 367.85 feet along the said westerly Village of Minoa Corporation Line, being also along an easterly line of the Town of Manlius to a point in the northerly line of North Central Avenue and the point of beginning.

Containing 4.01 acres of land exclusive of the highway.

Subject to easements and restrictions of record.

Note: There may be a 10 foot utility easement along the northerly line of North Central Ave., said easement having been proposed but possibly never recorded.

BEING part of the same premises conveyed to the grantors herein by deed dated February 22, 1989 and recorded February 28, 1989 in the Onondaga County Clerk's Office in Book 3527 at page 143 &c.

TOGETHER with the appurtenances and all the estate and rights of the grantor in and to said premises.
TO HAVE AND TO HOLD the premises herein granted unto to grantee, the heirs or successors and assigns of the grantee forever.
AND the grantor covenants as follows:

FIRST.- The grantee shall quietly enjoy the said premises;
SECOND.- The grantor will forever warrant the title to said premises;

15:12 09/29/08 6599508 DF DB-5061P-929

12016

IN WITNESS WHEREOF, the grantor has executed this deed the day and year first above written.
In presence of:

NORMAN E. ABBOTT

KAREN ABBOTT

STATE OF NEW YORK, COUNTY OF ONONDAGA) ss.:

On the 3rd day of September ~~2008~~ 2008, before me, the undersigned, a notary public in and for said State, personally appeared NORMAN E. ABBOTT and KAREN L. ABBOTT personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his /her/ their capacity(ies), and that by his/her/their signatures on the instrument, the individual(s), or the person on behalf of which the individual(s) acted, executed the instrument.

Notary Public

ROBERT S. TEMPLE
NOTARY PUBLIC, STATE OF NEW YORK
NO. 4857197
QUALIFIED IN ONONDAGA COUNTY
COMMISSION EXPIRES 5/4/09

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:
Annexation from Town of Manlius to Village of Minoa

Project Location (describe, and attach a location map):
7235

Brief Description of Proposed Action:
Annex from Town of Manlius to Village of Minoa

Name of Applicant or Sponsor:	Telephone: 315-882-5500
Sharon Caron	E-Mail: scaron@twcny.rr.com

Address:
7990 Blarney Stone Way

City/PO:	State:	Zip Code:
Manlius	NY	13104

	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:	☐	☐

3. a. Total acreage of the site of the proposed action? 4.0 acres
   b. Total acreage to be physically disturbed? _____ acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 4.0 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:
   ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban)
   ☐ Forest ☐ Agriculture ☐ Aquatic ☒ Other(Specify): School (Bus Garage)
   ☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☒	☐
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: N/A	☐	☐

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

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

	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

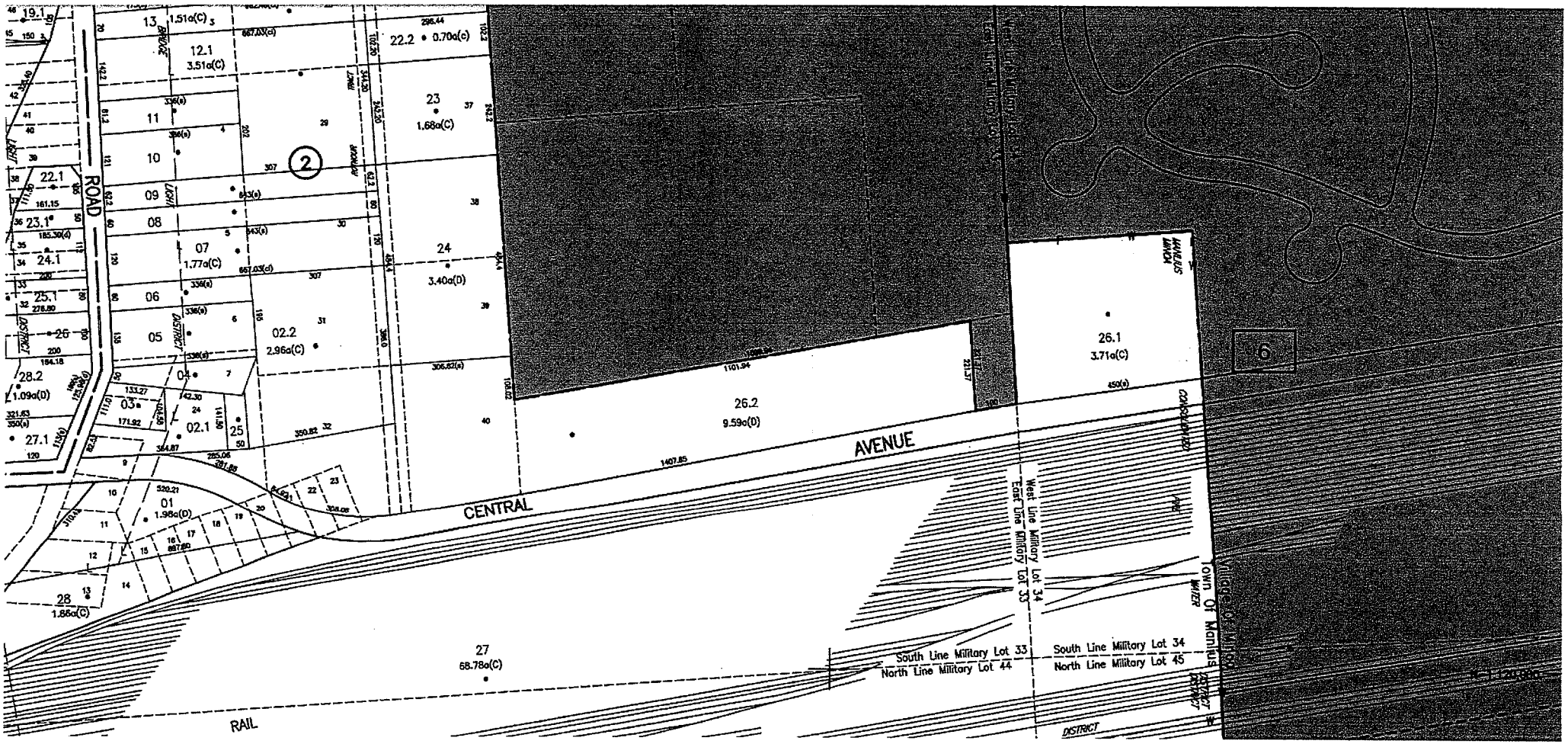
	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☒	☐
16. Is the project site located in the 100-year flood plan?	☒	☐
17. Will the proposed action create storm water discharge, 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: Sharon Caron Date: 12/1/22

Signature: Sharon Caron Title: owner

PRINT FORM


ROAD
CENTRAL
AVENUE
RAIL
West Line Military Lot 33
East Line Military Lot 33
West Line Military Lot 34
East Line Military Lot 34
South Line Military Lot 33
North Line Military Lot 44
South Line Military Lot 34
North Line Military Lot 45
Town Of Manitou
Village of Manitou
DISTRICT
2
6
19.1
1.51a(C)
12.1
3.51a(C)
22.2
0.70a(c)
23
1.68a(C)
22.1
23.1
24.1
25.1
26
28.2
1.09a(D)
27.1
13
11
10
09
08
07
1.77a(C)
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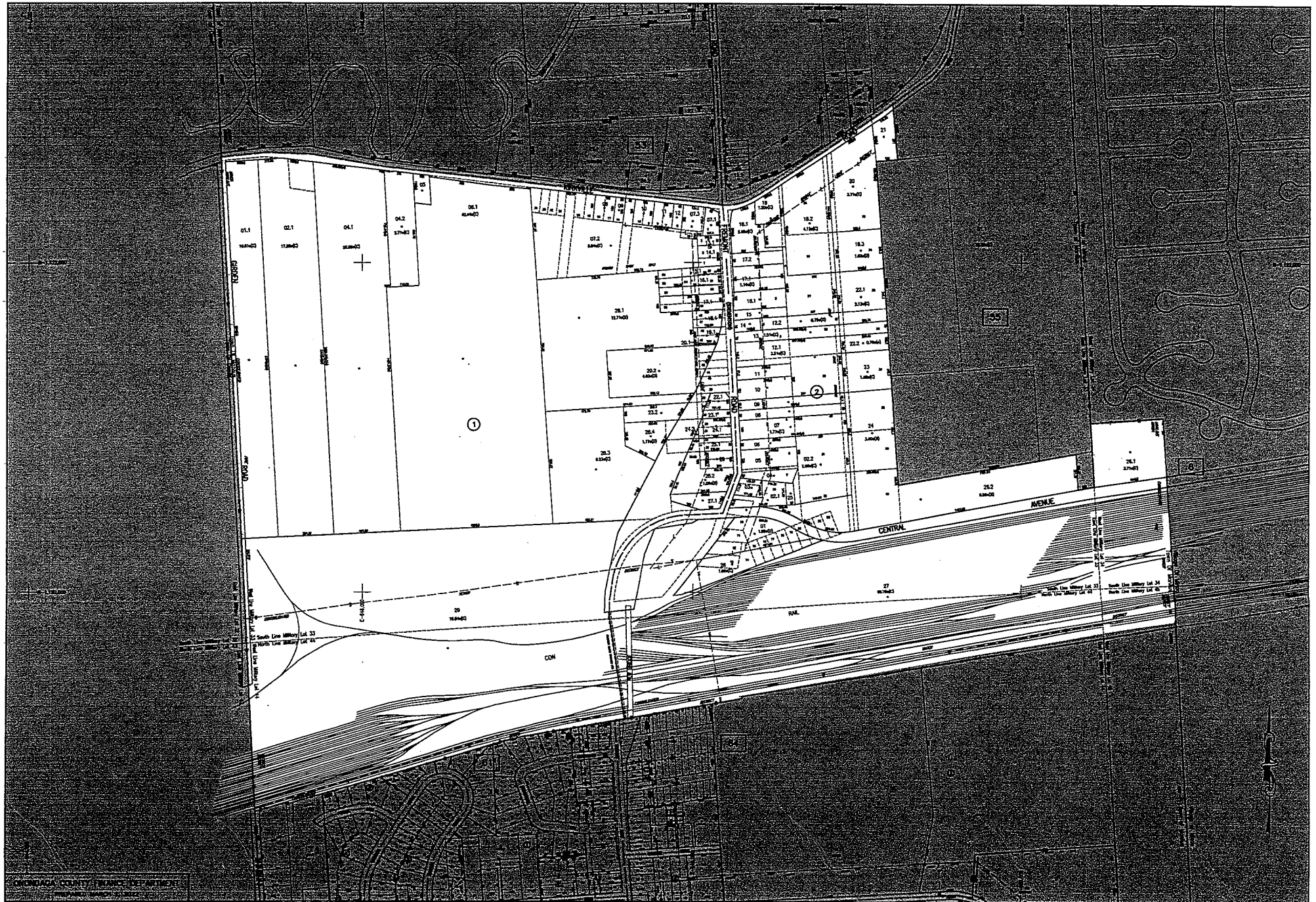
05
04
03
02.1
01
1.98a(D)
28
1.86a(C)
02.2
2.96a(C)
24
3.40a(D)
26.1
3.71a(C)
26.2
9.59a(D)
27
68.78a(C)


CENTRAL AVENUE
ONONDAGA COUNTY TAX MAP DEPARTMENT
SPECIAL DISTRICT INFORMATION
SCHOOL EAST SYRACUSE – MINOA
FIRE MINOA
WATER COUNTY
WATER MANLIUS CONSOLIDATED
LIGHTING MANLIUS BRIDGE
SEWER CONSOLIDATED
LEGEND
SCALE : 1"= 200'
FOR TAXING PURPOSES ONLY
NOT TO BE USED FOR CONVEYANCE
SECTION MAP 54
TOWN OF MANLIUS
ONONDAGA COUNTY, NY

IN THE MATTER

Of

LOCAL LAW 2022-___ TO AMEND ARTICLE IV OF CHAPTER 134 OF THE TOWN CODE ENTITLED "TAXATION," TO INCREASE THE INCOME LIMIT FOR THE PERSONS WITH DISABILITIES AND LIMITED INCOME EXEMPTION PERSUANT TO SECTION 459-C OF THE REAL PROPERTY TAX LAW

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 7th of December, 2022, at 6:30 p.m.

The meeting was called to order by John T. Deer, Supervisor, and the following were present, namely:

John T. Deer	Supervisor
Sara Bollinger	Councilor
Elaine Denton	Councilor
Alissa Italiano	Councilor
Katelyn M. Kriesel	Councilor
William Nicholson	Councilor
Heather Allison Waters	Councilor

The following resolution was moved, seconded and adopted:

WHEREAS, the State Legislature has passed, and Governor Hochul has signed legislation that authorizes municipalities to increase the income limits for the Persons with Disabilities and Limited Income pursuant to Section 459-c of the Real Property Tax Law;

WHEREAS, a Local Law has been introduced before the Board, to wit: Local Law No. 2022- ____, amending Chapter 134 of the Town Code entitled "Taxation" as follows:

LOCAL LAW 2022-___, A LOCAL LAW AMENDING ARTICLE IV OF CHAPTER 134 ENTITELD "TAXATION" THAT INCREASES THE INCOME LIMITS FOR PERSONS WITH DISABILITY AND LIMITED INCOME TAX EXEMPTION:

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

Section 1. Article IV, Section 134-12 of Chapter 134 of the Town Code is ammended as follows:

§134-12 Amount of Exemption

G. The maximum income exemption eligibility level shall be increased in accordance with the following schedule ~~(current maximum level of $26,000is shown in the schedule as M):~~

Annual Income	**Percentage Assessed Valu Exempt from Taxation**
~~More than (M) but less than (M + $1,000)~~	~~45%~~
~~(M + $1,000 or more) but less than (M + $2,000)~~	~~40%~~
~~(M + $2,000 or more) but less than (M + $3,000)~~	~~35%~~
~~(M + $3,000 or more) but less than (M + $3,900)~~	~~30%~~
~~(M + $3,900 or more) but less than (M + $4,800)~~	~~25%~~
~~(M + $4,800 or more) but less than (M + $5,700)~~	~~20%~~
~~(M + $5,700 or more) but less than (M + $6,600)~~	~~15%~~
~~(M + $6,600 or more) but less than (M + $7,500)~~	~~10%~~
~~(M + $7,500 or more) but less than (M + $8,400)~~	~~5%~~

Annual Income Valuation Exempt from Taxation	Percentage Assessed
$50,000 or Less	50%
$50,001 - $50,999	45%
$51,000 - $51,999	40%
$52,000 - $52,999	35%
$53,000 - $53,899	30%
$53,900 - $54,799	25%
$54,800 - $55,699	20%
$55,700 - $56,599	15%
$56,600 - $57,499	10%
$57,500 - $58,399	5%

Section 2. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

WHEREAS, the Town Board desires to hear from the public on the Application;

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 2022-___, and that such Hearing shall be held in persona 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 21st day of December 2022 at approximately 6:35 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 the instructions by which the public can access the virtual meeting, 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 7th day of December 2022; 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 7 th day of December, 2022.

DATED: December 7, 2022
Fayetteville, New York

_____

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

IN THE MATTER

Of

LOCAL LAW 2022-___ TO AMEND ARTICLE I OF CHAPTER 134 OF THE TOWN CODE ENTITLED "TAXATION," TO INCREASE THE INCOME LIMIT FOR THE SENIOR CITIZEN TAX EXEMPTION PERSUANT TO SECTION 467 OF THE REAL PROPERTY TAX LAW

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 7th of December, 2022, at 6:30 p.m.

The meeting was called to order by John T. Deer, Supervisor, and the following were present, namely:

John T. Deer	Supervisor
Sara Bollinger	Councilor
Elaine Denton	Councilor
Alissa Italiano	Councilor
Katelyn M. Kriesel	Councilor
William Nicholson	Councilor
Heather Allison Waters	Councilor

The following resolution was moved, seconded and adopted:

WHEREAS, the State Legislature has passed, and Governor Hochul has signed legislation that authorizes municipalities to increase the income limits for the Senior Citizen Tax Exemption pursuant to Section 467 of the Real Property Tax Law;

WHEREAS, a Local Law has been introduced before the Board, to wit: Local Law No. 2022- ____, amending Chapter 134 of the Town Code entitled "Taxation" as follows:

LOCAL LAW 2022-___, A LOCAL LAW AMENDING ARTICLE I OF CHAPTER 134 ENTITELD "TAXATION" THAT INCREASES THE INCOME LIMITS FOR THE SENIOR CITIZEN PROPERTY TAX EXEMPTION:

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

Section 1. Article I, Section 134-2 of Chapter 134 of the Town Code is ammended as follows:

§134-2 **Limitations on exemption.**

A. No exemption shall be granted if the income of the owner or the combined income of the owners of the property exceeds the sum of ~~$26,000~~ $58,399 OR $50,000 (ASK PAT) for the income tax year immediately preceding the date of making application of exemption.

G. The maximum income exemption eligibility level shall be increased in accordance with the following schedule (~~current maximum level of $26,000 is shown in the schedule as M~~):

Annual Income	**Percentage Assessed Valu Exempt from Taxation**
~~More than (M) but less than (M + $1,000)~~	~~45%~~
~~(M + $1,000 or more) but less than (M + $2,000)~~	~~40%~~
~~(M + $2,000 or more) but less than (M + $3,000)~~	~~35%~~
~~(M + $3,000 or more) but less than (M + $3,900)~~	~~30%~~
~~(M + $3,900 or more) but less than (M + $4,800)~~	~~25%~~
~~(M + $4,800 or more) but less than (M + $5,700)~~	~~20%~~
~~(M + $5,700 or more) but less than (M + $6,600)~~	~~15%~~
~~(M + $6,600 or more) but less than (M + $7,500)~~	~~10%~~
~~(M + $7,500 or more) but less than (M + $8,400)~~	~~5%~~

Annual Income	Percentage Assessed Valuation Exempt from Taxation
$50,000 or Less	50%
$50,001 - $50,999	45%
$51,000 - $51,999	40%
$52,000 - $52,999	35%
$53,000 - $53,899	30%
$53,900 - $54,799	25%
$54,800 - $55,699	20%
$55,700 - $56,599	15%
$56,600 - $57,499	10%
$57,500 - $58,399	5%

Section 2. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

WHEREAS, the Town Board desires to hear from the public on the Application;

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 2022-___, and that such Hearing shall be held in persona 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 21st day of December 2022 at approximately 6:35 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 the instructions by which the public can access the virtual meeting, 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 7th day of December, 2022; 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 7 th day of December, 2022.

DATED: December 7, 2022
Fayetteville, New York

_____

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

Town of Manlius

December 8, 2022

Mr. James D'Agostino
Syracuse Metropolitan Transportation Council
126 North Salina St. Suite 100
Syracuse, NY 13202

Dear Mr. D'Agostino:

The Town of Manlius appreciates this opportunity to participate with the 2023-2024 Unified Planning Work Program. The Town supports the Village of Fayetteville's application for enhanced bicycle access to the Empire State Trail system.

The proposed study area is designed to enhance the safety of bicycle access from residential areas to the Route 5 entrance to Green Lakes State Park. The study area will include both Route 5 and Salt Springs Road. Duguid Road will provide a link to the Village of Manlius and Mill Run Park, avoiding some of the challenges inherent when bicycling on Route 257.

Sincerely,

John Deer,
Town Supervisor

John T. Deer, Supervisor

Town Board - Sara Bollinger, Elaine Denton, Heather Waters, Katelyn M. Kriesel, Alissa Italiano, William Nicholson

301 Brooklea Drive • Fayetteville, NY 13066 • Telephone: (315) 637-3521 • Fax: (315) 637-0713
www.townofmanlius.org

IN THE MATTER
Of
THE TRAFFIC RECONFIGURATION FOR THE INLAND PORT

RESOLUTION OF SUPPORT

The **TOWN BOARD OF THE TOWN OF MANLIUS**, in the County of Onondaga, State of New York, met in regular session in the Town of Manlius, located at 301 Brooklea Drive in the Village of Fayetteville, County of Onondaga, State of New York, on the 7th day of December, 2022, at 6:30 p.m. The meeting was called to order by John T. Deer, Supervisor, and the following were present, namely:

John T. Deer	Supervisor
Sara W. Bollinger	Councilor
Elaine M. Denton	Councilor
Alissa Italiano	Councilor
Katelyn M. Kriesel	Councilor
William Nicholson	Councilor
Heather Allison Waters	Councilor

The following resolution was moved, seconded, and adopted with the following vote:

Deer	Aye
Bollinger	Aye
Denton	Aye
Italiano	Aye
Kriesel	Aye

Nicholson	Aye
Waters	Aye

WHEREAS, Town of Manlius residents have been experiencing increased truck traffic following improvements to the CSX DeWitt Rail Yard and recent large developments in Onondaga County; and

WHEREAS, the entrance to the CSX DeWitt Rail Yard requires trucks to traverse local roads, passing by residents, businesses, and schools; and

WHEREAS, continued development in Onondaga County will lead to further increases in truck traffic; and

WHEREAS, a Connector Project has been proposed whereby a new road would be established, parallel to Interstate Route I-481 that would tie into a reconfigured Kirkville Road interchange with I-481/future I-81, diverting highway-bound trucks away from Fremont and Kirkville Roads;

NOW, THEREFORE, BE IT RESOLVED THAT, the Town of Manlius Board expresses its support for the Central New York Inland Port Connector Project and the potential benefits to Town of Manlius residents' health, safety, and well-being.

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 7th day of December, 2022; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Manlius, this 7th day of December, 2022.

DATED: December 7, 2022
Fayetteville, New York

_____

ALLISON WEBER
Town Clerk of the Town of Manlius

Friday November 4th, 2022 10:51 AM

Van Bortel Ford 71 Marsh Rd East Rochester, NY 14445 585-586-7705 Fax 585-586-7706

Vehicle Purchase Proposal

Attention: Bill Beeman

Town of Manlius
5970 Clemons Road
East. Syracuse NY 13057
Phone: 315-656-3090 Fax: 315-656-8960
Mobile: 315-247-3683 Email: bbeeman@townofmanlius.org

Purchase Order:
Final Order Date: Friday December 16th, 2022
Quote# 33740
Onondaga Bid 0010808 Item U2-A

Item Description	Code	Qty	Your Price	MSRP
2023 F-250 XLT SuperCab 4x4 6.75' Box 148 WB - This is base item U2 6 3/4' box pricing XLT upgrade cost is below	X2B	1	$ 44,630.24	$ 48,140.00
Carbonized Gray Metallic	M7	1	$ 0.00	$ 0.00
6.7L Powerstroke Diesel V-8 Operator Controlled Regen is now std.	99T	1	$ 9,195.40	$ 9,995.00
TorqShift®-G Ten-SpeedAutomatic Transmission	44G	1	$ 0.00	$ 0.00
Carpet Delete (XLT/Lar)	166	1	$ -44.00	$ -44.00
Platform Running Boards (w/ Super/Crew Cab)	18B	1	$ 409.40	$ 445.00
Rapid-Heat Supplemental Cab Heater	41A	1	$ 230.00	$ 250.00
Heater, Engine Block	41H	1	$ 92.00	$ 100.00
Snow Plow Package	473	1	$ 230.00	$ 250.00
Trailer Tow Package - High Capacity	535	1	$ 1,039.60	$ 1,130.00
Clearance Lights, Roof	592	1	$ 87.40	$ 95.00
Upgrade from XL to XLT	603A	1	$ 3,367.20	$ 3,660.00
Front & Rear Wheel Well Liners	61N	1	$ 299.00	$ 325.00
Splash Guards/Mud Flaps (Front & Rear)	61S	1	$ 119.60	$ 130.00
Splash Guards/Mud Flaps (Rear)	62S	1	$ 0.00	$ 0.00
Upfitter Switches (6)	66S	1	$ 151.80	$ 165.00
Dual Extra Heavy-Duty Alternator w/ 41A	67B	1	$ 0.00	$ 0.00
Remote Start System	76S	1	$ 230.00	$ 250.00
Tough Bed® Spray-in bedliner	85S	1	$ 547.40	$ 595.00
Dual Batteries (78 Amp.) (w/ 99M or 99T)	86M	1	$ 0.00	$ 0.00
LT275/70Rx18E BSW AT	TDX	1	$ 243.80	$ 265.00
Axle, Electronic-Locking (Ratio 3.31)	X3H	1	$ 395.60	$ 430.00
Delivery to Region 2	Reg 2	1	$ 160.00	$ 160.00
Term is Net 15 Days A.R.V. Delivery from factory to dealer is estimated at 16-20 weeks. This Quote Expires In 60 Days or final Order date, whichever comes first. Any attempt in canceling an order is subject to the manufacturers ability to cancel the order.	**Total Price:**		**$ 61,384.44**	
Quantity on this Order: 1	**Grand Total:**		**$ 61,384.44**	

To place an order please sign and date this proposal and return it to
Van Bortel Ford along with a valid Purchase Order, Voucher, or Letter of Intent. Thank You!

Accepted By: Robert A Ch Title Hwy Sup. Date 10-9-22

Van Bortel Ford Inc (WBE) Federal ID 16-1609363 Salesperson: Josh Relyea Quote: 33740

10 Hour Shift Side Agreement

Through negotiations between the Town of Manlius and the Town of Manlius Police Benevolent Association (PBA), an agreement has been reached to implement a new shift schedule for the police department in 2023 on a trial basis. Currently, the schedule has officers working 8-hour shifts in a 6 on, 3 off rotations. The proposal presented to the Town of Manlius and agreed to upon negotiation will have the officers working 10-hour shifts in a 4 on, 3 off rotations. The intent of this trial is to evaluate this new shift schedule prior to contract negotiations happening in 2023.

Both parties have arrived at this agreement for numerous reasons, not limited to:

- Promoting a better work-life balance for officers
- Reducing scheduling complexity by reducing the number of pass groups from three to two
- Enabling officers to trade shifts more easily
- Limiting the instances of forcing officers to or be ordered in to cover a shift

Included in this side agreement is the Proposal for New Shift Schedule Trial Period from the PBA, the 2023 Calendar by Pass Group, and January and February 2023 Mock Shift Bid. These serve as background to this agreement that provide a basis for the trial.

For 2023, the Town of Manlius Police Department will have to adopt the proposed schedule as outlined in the attached documents but consistent with an official shift bid regarding officers' assigned pass groups. This will include several provisions:

1. All officers working the 4-3 schedule will earn adjustment time in the same manner as officers currently working the 5-2 schedule, accumulating eight hours ~~at~~ on the first day of each month starting in February.
2. All officers receiving adjustment time will be offered the option to cash out their adjustment time on a quarterly basis. This will happen at the first pay period in April, July, October, and January.
3. In-service training for officers working the 4-3 schedule will be done on Wednesdays and will be paid out in the same manner as described in the existing contract for officers currently working the 5-2 schedule.
4. When the contract refers to "days" it will be understood that this still refers to eight hours except for bereavement leave where "days" shall mean a single scheduled shift.
5. SIROs will transition to the 4-3 schedule during the summer break or any other time necessary based on staffing.
6. Command Staff will ensure the SIROs know their pass groups at the same time as all other officers, removing the need for overbidding of vacation days. Command Staff will make every effort to keep SIROs in their assigned summer pass groups provided that significant staffing shortages may necessitate changes. In that event, Command Staff will work with SIROs to provide as much notice as possible and to accommodate preapproved leave requests.

The Town of Manlius, Police Command Staff, and the PBA shall be able to request termination of this agreement upon written notice to the other parties. All parties shall meet to discuss a plan of action to revert officer scheduling to the previous schedule as per the current contract. Upon agreement and execution of the plan of action or 90 days, this side agreement will be terminated.

DRAFT

TOWN OF MANLIUS

By: _____

Name:

Title:

Date:

MANLIUS POLICE BENEVOLENT ASSOCIATION

By: _____

Name:

Title:

Date:

DRAFT

VILLAGE OF MINOA

240 N. MAIN STREET • MINOA • NEW YORK 13116

William F. Brazill, *Mayor*
wbrazill@villageofminoa.com
Office: (315) 656-3100
Fax: (315) 656-0825
www.villageofminoa.com

John H. Champagne, *Deputy Mayor*
John M. Abbott, *Trustee*
Eric S. Christensen, *Trustee*
Bobby Schepp, *Trustee*
Lisa L. DeVona, *Clerk-Treasurer*
Law Offices of Courtney M. Hills PC

October 14, 2022

Robert M. Petrovich, Director
Onondaga County Industrial Development Agency
333 W. Washington Street, Suite 130
Syracuse, NY 13202

Dear Director Petrovich:

Re: **Minoa's support of RPNY Solar 4, LLC Onondaga County IDA PILOT**

On September 6, 2022, the Village of Minoa (the "Village") approved RPNY Solar 4, LLC (RPNY Solar) to build and operate an approximately 3 megawatt (MW) solar array in the Village at 5986 Clemons Road, Tax Map ID: 005.-10-01.0. The Village is aware that RPNY Solar will pursue a Payment in Lieu of Taxes (PILOT) Agreement through the Onondaga County Industrial Development Agency and has discussed the proposed PILOT structure with RPNY Solar. The Village agrees with a $4,000 per megawatt payment for a 25-year term with an annual escalator of 2%.

Please contact my office if you would like to discuss the PILOT structure further.

Sincerely,

William F. Brazill, Mayor

VILLAGE OF MINOA

240 N. MAIN STREET • MINOA • NEW YORK 13116

William F. Brazill, *Mayor*
wbrazill@villageofminoa.com
Office: (315) 656-3100
Fax: (315) 656-0825
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John H. Champagne, *Deputy Mayor*
John M. Abbott, *Trustee*
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333 W. Washington Street, Suite 130
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Dear Director Petrovich:

Re: **Minoa's support of RPNY Solar 4, LLC Onondaga County IDA PILOT**

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Please contact my office if you would like to discuss the PILOT structure further.

Sincerely,

William F. Brazill, Mayor

Raquel Parks
Associate
Direct Dial: 518.433.2424
rparks@hodgsonruss.com

Hodgson Russ ATTORNEYS

October 20, 2022

John Deer, Supervisor
Town of Manlius
301 Brooklea Drive
Fayetteville, NY 13066

Re: RPNY Solar 4, LLC's RPTL §487 PILOT with the Onondaga County Industrial Development Agency

Dear Supervisor Deer:

This office represents RPNY Solar 4, LLC ("RPNY Solar"). The Village of Minoa (the "Village) has approved RPNY Solar to build and operate an approximately 3 megawatt solar array in the Village at 5986 Clemons Road, East Syracuse, NY 13057 (Tax Map ID: 005.-10-01.0)(the "Project").

RPNY Solar will enter into a payment in lieu of taxes ("PILOT") agreement with the Onondaga County Industrial Development Agency (the "IDA") to benefit the Onondaga County, East Syracuse Minoa Central School District, Village of Minoa, and your Town (the "Jurisdictions"). One of the IDA's requirements is that RPNY Solar obtains each Jurisdiction's approval of the proposed PILOT structure with the IDA.

RPNY Solar proposes a PILOT amount of $4,000/MW to be split with each Jurisdiction based upon each Jurisdiction's appropriate tax rate. The PILOT agreement will last for a term of 25 years with an annual escalator of 2%. Enclosed is Mayor Brazill's letter of support for this PILOT structure. If the Town agrees to this PILOT structure, we would appreciate if you sign a copy of this letter where indicated, and return it to the undersigned.

Please contact me if you would like to discuss the PILOT structure further.

Regards,

Raquel Parks

Raquel Parks

Enclosure
cc: William F. Brazill, Mayor of Minoa

The undersigned, **Town of Manlius**, is aware that RPNY Solar 4, LLC will pursue a Payment in Lieu of Taxes (PILOT) Agreement through the Onondaga County Industrial Development Agency and has discussed the proposed PILOT structure with RPNY Solar 4, LLC. The undersigned hereby supports a $4,000 per megawatt payment for a 25-year term with an annual escalator of 2%.

_____

Title:

MINUTES
TOWN BOARD
November 9, 2022

The Town of Manlius Town Board held a hybrid meeting 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://www.youtube.com/channel/UC3pS9-uTiX4l7aEgciGEVSA

Supervisor John Deer presided, and the following Board members were 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
Allison A. Weber, Town Clerk
Ann Oot, Town Manager

The following Town Officers Attending Virtually: Rob Cushing, Highway Superintendent, Tom Poitras, Code Enforcement Officer.

1. Attendees

In-Person Meeting Attendees: Joe D. Walker III, Fayetteville. Mary Teske, Fayetteville. Dave Barnwell

Virtual Meeting Attendees: None

2. The Pledge of Allegiance

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

3. 6:33 PM Open Podium

Joe Walker III asked the Board for help in obtaining land though purchase or an easement at the end of Cleveland Blvd. to access the land he purchased.

4. Flock Camera Discussion – Tabled until November 16, 2022

5. 6:42 PM 2022 Small Business Saturday Proclamation Request

Councilor Kriesel read aloud the Proclamation in support of 2022 Small Business Saturday to be held on Saturday, November 26, 2022.

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6. 6:44 PM Onondaga County Snow and Ice Agreement

Supervisor reviewed the new agreement and stated that the two year agreement will include a 3% increase per year with a clause that if diesel fuel increases over $7.00 a gallon, the contract can be renegotiated.

Councilor Bollinger made a motion, seconded by Councilor Italiano, to authorize the Supervisor to sign the Onondaga County Snow and Ice Agreement for a term ending May 31, 2024, as outlined in the agreement presented.

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

Nayes: 0 All in Favor. Motion Carries.

7. 6:45 PM Establish a Reserve Fund for Highway Equipment

Councilor Bollinger stated a reserve fund for highway equipment would allow the Town to set money aside every year so when equipment is needed the money will be there for it.

Councilor Bollinger made a motion, seconded by Councilor Nicholson, to create a capital reserve fund for the purchase of highway equipment 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.

8. 6:47 PM 2023 Preliminary Budget Public Hearing

Councilor Bollinger made a motion, seconded by Councilor Italiano, to waive the reading of the public hearing notice in the matter of the 2023 Preliminary Budget.

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Denton gave a presentation on the Preliminary Budget for 2023.

Councilor Kriesel made a motion, seconded by Councilor Nicholson, to open the public hearing at 6:53 PM in the matter of the 2023 Preliminary Budget.

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

Nayes: 0 All in Favor. Motion Carries.

Mary Teske, 118 Redfield Ave., asked what year her home assessment is based on for the purpose of determining her taxes? Supervisor Deer and the town councilors discussed how Ms. Teske's tax rate is calculated and what her tax bill could be for 2023.

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Dave Barnwell, asked:

1. What is the overall tax rate for the town?
2. What percentage of the fund balance/savings account the board is using to offset the 2023 budget?
3. What are will the ARPA expenditures be?
4. Are there budget cuts to the police cars for 2023?
5. Why the engineering costs increased and why the town is not contracting with a local engineering firm?
6. Is the comprehensive plan paid for and why is the town spending so much on studies instead of infrastructure projects?

The Town Board and Mr. Barnwell discussed at length the budget and Mr. Barnwell's questions.

With there being no further comments from the public, Councilor Bollinger made a motion, seconded by Councilor Denton, to close the public hearing at 7:16 PM in the matter of the 2023 Preliminary Budget.

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

Nayes: 0 All in Favor. Motion Carries.

9. 7:17 PM Approval of Abstract # 21A

Councilor Bollinger made a motion, seconded by Councilor Nicholson, to approve Abstract # 21A in the amount of $ 12,701.57 as submitted by Town Clerk Weber.

TOWN OF MANLIUS
Fund Summary
Abstract # 21A - 2022

CODE	FUND	TOTALS
A	General Fund Townwide	$11,406.57
DA	Highway Fund Townwide	$1,295.00

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

Nayes: 0 All in Favor. Motion Carries.

10. Approval of Minutes – October 26, 2022, and November 2, 2022

The 10-26-22 and 11-2-22 draft minutes will appear on the 11-16-22 agenda for approval.

11. Adjournment

There being no further business to come before the Board, upon a motion duly made by Councilor Italiano and seconded by Councilor Kriesel the Board voted unanimously to adjourn regular session at 7:18 PM

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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

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MINUTES
TOWN BOARD
November 16, 2022

The Town of Manlius Town Board held a hybrid meeting 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://www.youtube.com/channel/UC3pS9-uTiX4l7aEgciGEVSA

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

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

The following Town Officers were present:

Tim Frateschi, Attorney for the Town
Allison A. Weber, Town Clerk
Ann Oot, Town Manager

The following Town Officers Attending Virtually:

Councilor Italiano

1. Attendees

In-Person Meeting Attendees: Richard Sparrow, E. Syracuse. Joshua Waldby, Manlius.

Virtual Meeting Attendees: Jim Geddis, Arnold Poltenson, Jennifer Edkin, WSYR-TV, Laura Ann Holland, Roseann.

2. The Pledge of Allegiance

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

3. 6:32 PM Open Podium

Town Clerk Weber read aloud a letter from Mary King asked if the proposed tax rate affect her STAR? At the rate of 3.46% the bottom line for her tax increase for 2023 will be 9%, 2022 it was 4.7%, 2021 it was 2.9%, 2020 it was 1.6%. Ms. King stated that she will incur an increase of $60 which is almost double from previous years.

4. 6:34 PM Adoption of the 2023 Town Budget

Councilor Denton gave a presentation of the final budget including an example of the Manlius Tax Rate Calculation and a review of the changes to the preliminary budget.

Councilor Bollinger reviewed the changes that were made between the preliminary and final budget.

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1. Additional $100,000 of American Rescue Plan Revenue which is applied toward the comptroller salary and benefits.
2. Expenditures that are increased are comptroller for seventy thousand, adding two people to the board of assessment review and salary adjustment based on the pay equity study that include: Tax Receivers office $2,652, Town Clerk's Office $7,072 and the Codes Department $10,832.
3. IT spending was reduced by $89,307; this amount will be reconsidered but not in 2023.
4. Increased the maintenance contract for digital program for investigations in the Police Department.
5. Obtained a Medicare Advantage Plan for retirees that saved the Town $200,000.

Councilor Bollinger made a motion, seconded by Councilor Waters to adopt the changes from the preliminary budget as presented.

	A	B	C	D
1	**Account**	**Title**	**Amount**	**Description**
2				
3	**A Fund**			
4	**Revenue**			
5	4.4089	ARPA - Revenue	$100,000.00	Comptroller - Salary & Benefits
6				
7		**Total Changes A Fund Revenue**	**$100,000.00**	
8				
9	**Expenditure**			
10	1220.100	Supervisor - Personal Services	$70,000.00	Comptroller Salary
11	1330.100	Receiver of Taxes - Personal Services	$2,652.00	Salary Adjustment - Pay Equity Study
12	1356.100	Board of Assessment Review - Personal Services	$4,800.00	Two Additional BAR Members
13	1410.100	Town Clerk - Personal Services	$7,072.00	Salary Adjustment - Pay Equity Study
14	1620.405	Buildings - Information Technology	-$89,307.00	Remove PD Backup Solution & Additional Security Monitoring
15	3120.100	Police - Personal Services	$10,882.00	Salary Adjustment - Pay Equity Study
16	3120.446	Police - Maintenance Contract	$700.00	Digital Program for Investigations
17	9060.800	Health Insurance	$30,000.00	Comptroller Insurance
18	9060.800	Health Insurance	-$200,000.00	Medicare Advantage Plan - Reduction
19				
20		**Total Changes A Fund Expenditure**	**-$163,201.00**	
21				
22	**B Fund**			
23	**Expenditure**			
24	3620.100	Planning & Development - Personal Services	$5,924.00	Salary Adjustment - Pay Equity Study
25				
26		**Total Changes B Fund Expenditure**	$5,924.00	

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Denton made a motion, seconded by Councilor Nicholson to adopt the 2023 budget as amended and presented.

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

Nayes: 0 All in Favor. Motion Carries.

5. 6:39 PM Zone Change Seven Pines Project, 8104, 8108, 8112 and 8116 Manlius-Cazenovia Rd. from CA & RA to RM

Town Attorney Frateschi stated that the amended local law for the zone change to remove the RA parcel and incorporated the SEQRA finding that were done two meetings ago. Attorney Frateschi reviewed the zone change resolution and stated that the parcel zoned RA would remain the same.

Councilor Bollinger made a motion, seconded by Councilor Denton, to approve the zone change application made by Shashank Bhatt for the parcels on Manlius-Cazenovia Road as set for in the local law resolution prepared by the attorney for the town which does include three of the four parcels.

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

Nayes: 0 All in Favor. Motion Carries.

6. 6:42 PM Code Officer Poitras – Proposed Code Amendments

Code Officer Poitras gave a brief presentation of the changes made to Chapter 59 of the Town Code titled Building Construction and Fire Prevention.

Councilor Kriesel made a motion, seconded by Councilor Denton to set a date for a public hearing on December 7th at 6:35 PM to consider the proposed local to repeal and replace the towns building and fire code as set for the local law resolution prepared by the Attorney for the Town.

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

Nayes: 0 All in Favor. Motion Carries.

7. 6:54 PM Flock Camera Agreement & Grant

Councilor Denton read aloud a statement outlining the concerns regarding the proposed agreement with Flock Cameras and expressed concern about the data that can be captured using a Flock Camera. Councilor Denton stated that the Town Board is not comfortable with a third-party having control over the use of the data.

Town Supervisor Deer asked the Town Board if there was a motion to approve the proposed Flock Camera Agreement. No motion was brought forth. The Flock Camera Agreement was not adopted.

8. 7:00 PM RPNY Solar 4 LLC PILOT Agreement – OCIDA _ Solar Array at 5986 Clemons Road, East Syracuse

This item was tabled to allow time to gather more information.

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9. 7:01 PM Meltwater Solar PILOT Agreement – 5MEAC Solar Project on Kirkville Road

Town Attorney Frateschi reviewed the proposed agreement.

Councilor Kriesel made a motion, seconded by Councilor Nicholson to make an exception to the Towns previous policy to use the use the Onondaga County Industrial Development Agency to negotiate the Towns PILOT agreement for the Meltwater Solar project on Kirkville Road and any future projects the Town Board deems appropriate.

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

Nayes: 0 All in Favor. Motion Carries.

Motion to approve the PILOT with Meltwater Solar for the solar project on Kirkville Road as presented and approve the Host Community Agreement as presented and subject to legal review and authorize the Supervisor to sign both agreements.

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

Nayes: 0 All in Favor. Motion Carries.

10. 7:08 PM Appointment to Board of Assessment – Celeste Greiner – Term Ending September 2025

Councilor Bollinger made a motion, seconded by Councilor Denton, to appoint Celest Greiner to the Board of Assessment Review for a term ending September 30, 2025.

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Denton stated there will be two openings for the Board of Assessment Review, one opening for the Zoning Board of Appeals and one opening for the Planning Board for 2023.

11. 7:12 PM Police Chief

Chief Crowell stated he has provided three conditional offers of employment to three individuals and one more offer to come for the position of Police Officer.

12. 7:13 PM Supervisor's Report – October 2022

Councilor Bollinger made a motion, seconded by Councilor Denton, to approve the October 2022 Supervisor's report as presented.

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

Nayes: 0 All in Favor. Motion Carries.

DRAFT

13. 7:15 PM Approval of Minutes – October 26, 2022, and November 2, 2022

Councilor Denton made a motion, seconded by Councilor Nicholson, to approve the minutes of October 26, 2022, submitted by Town Clerk Weber.

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

Abstain: Councilor Kriesel

Motion Carries.

Councilor Waters made a motion, seconded by Councilor Kriesel, to approve the minutes of November 2, 2022, submitted by Town Clerk Weber.

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

Abstain: Councilor Denton

Motion Carries.

14. 7:17 PM Approval of Abstract # 22

Councilor Bollinger made a motion, seconded by Councilor Nicholson, to approve Abstract # 22 in the amount of $ 304,127.71 as submitted by Town Clerk Weber.

TOWN OF MANLIUS
Fund Summary
Abstract # 22 - 2022

CODE	FUND	TOTALS
A	General Fund Townwide	$ 32,178.16
B	General Fund Town	$ 9,156.94
DA	Highway Fund Townwide	$ 24,478.06
DB	Highway Fund Town	$ 7,356.22
SR1	Manlius Trash District	$ 199,943.00
SR2	Manlius Res Brush District	$ 25,151.33
TA2	Trust & Agency - Other	$ 2,864.00

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

Nayes: 0 All in Favor. Motion Carries.

Approval of Abstract # 22A

Councilor Bollinger made a motion, seconded by Councilor Denton, to approve Abstract # 22A in the amount of $ 2,303.31 as submitted by Town Clerk Weber.

TOWN OF MANLIUS
Fund Summary

Abstract # 22A - 2022

CODE	FUND	TOTALS
A	General Fund Townwide	$ 122.42
DA	Highway Fund Townwide	$ 1,917.37
DB	Highway Fund Town	$ 263.52

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

Nayes: 0 All in Favor. Motion Carries.

16. 7:19 PM Adjournment

There being no further business to come before the Board, upon a motion duly made by Councilor Kriesel and seconded by Councilor Denton the Board voted unanimously to adjourn regular session at 7:19 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

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** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	=========LINE ITEM========= ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG	=======GROUP BUDGET======= ANNUAL BUDGET	BUDGET AVAILABLE	OVER BUDG
2022	A00-1.480	Prepaid Expenditures	230,604.78						
	A00-2.690	Overpayments and Clearing	6,316.50						
	A00-5.1220.480	Supervisor - Payroll	4,943.78	31,700	6,902.25-	Y	89,790	138.25-	Y
	A00-5.1440.400	Engineer - Contractual	5,577.50	25,000	9,402.50		43,000	19,445.17	
	A00-5.1440.450	Engineer - Contractual Ser	3,408.76	18,000	6,633.91		43,000	21,613.91	
	A00-5.1620.200	Buildings - Equipment	26,969.00	27,948	42,290.91-	Y	27,948	42,290.91-	Y
	A00-5.1620.405	Buildings - Information Te	15,384.71	229,852	25,619.42		314,865	33,401.98	
	A00-5.1620.420	Buildings - Gas/Electric	1,074.14	30,000	2,211.60-	Y	314,865	47,712.55	
	A00-5.1620.421	Buildings - Phone	1,195.76	9,400	4,369.88-	Y	314,865	47,590.93	
	A00-5.1620.423	Buildings - Security Servi	66.95	750	176.45-	Y	314,865	48,719.74	
	A00-5.1620.424	Buildings - Internet	119.00	1,470	885.84-	Y	314,865	48,667.69	
	A00-5.1620.430	Buildings - Cleaning	1,281.25	24,283	6,556.49		314,865	47,505.44	
	A00-5.1620.450	Buildings - Pest Control	231.08	650	17.08-	Y	314,865	48,555.61	
	A00-5.1640.410	Central Garage - Gasoline	4,949.68	85,000	28,416.56-	Y	88,500	26,085.91-	Y
	A00-5.1670.407	Central Printing - Copier	602.34	6,800	975.84-	Y	45,600	751.70-	Y
	A00-5.1670.408	Central Printing - Post Me	487.53	2,000	49.88		45,600	636.89-	Y
	A00-5.3120.424	Police - Building Lease	24,528.75	98,115	0.00		767,900	37,111.92	
	A00-5.3120.461	Police - Accreditation	1,501.00	39,837	7,589.34		767,900	60,139.67	
	A00-5.3120.465	Police - Forensic	1,012.50	44,486	24,231.37		767,900	60,628.17	
	A00-5.3310.400	Traffic Control - Contract	21.87	2,300	2,021.13		2,300	2,021.13	
	A00-5.5132.420	Garage - Gas/Electric	1,188.38	35,000	11,828.59		82,575	26,784.26	
	A00-5.5182.400	Street Lighting - Contract	375.79	6,000	909.60		6,000	909.60	
	A00-5.9045.800	Life Insurance	414.00	5,100	587.80		5,100	587.80	
	A00-5.9055.800	Disability Insurance	966.44	6,000	1,819.93		6,000	1,819.93	
	A00-5.9060.800	Health Insurance	169,337.45	2,117,519	136,565.98		2,117,519	136,565.98	
	A00-5.9089.800	Employee Assistance Progra	1,618.48	3,400	1,521.49-	Y	3,400	1,521.49-	Y
	B00-5.3620.400	P & D - Contractual	4,150.06	100,035	12,691.60-	Y	123,948	7,469.62-	Y
	B00-5.3620.421	P & D - Phone	92.77	1,500	179.76-	Y	123,948	3,412.33-	Y
	B00-5.9055.800	P & D - Disability Insuran	40.84	250	7.69		250	7.69	
	B00-5.9060.800	P & D - Hospital & Medical	4,513.35	55,670	3,766.47		55,670	3,766.47	
	DA0-5.9055.800	Disability Insurance	176.96	1,100	76.65		1,100	76.65	
	DA0-5.9060.800	Hospital & Medical Insuran	28,276.54	180,087	18,018.16-	Y	180,087	18,018.16-	Y
	DB0-5.9055.800	Disability Insurance	176.96	1,100	23.33		1,100	23.33	
	SL1-5.5182.400	Street Lighting - Contract	1,653.87	20,000	1,880.15-	Y	20,000	1,880.15-	Y
	SL2-5.5182.400	Street Lighting - Contract	2,245.32	26,000	3,360.65-	Y	26,000	3,360.65-	Y
	SL3-5.5182.400	Street Lighting - Contract	109.27	1,200	233.79-	Y	1,200	233.79-	Y
	SL4-5.5182.400	Street Lighting - Contract	677.46	7,500	1,218.08-	Y	7,500	1,218.08-	Y
	SL5-5.5182.400	Street Lighting - Contract	2,503.31	30,000	2,971.46-	Y	30,000	2,971.46-	Y
	SR1-5.9060.800	Hospital & Medical Insuran	185.87	2,644	413.56		2,644	413.56	
	SR2-5.9060.800	Hospital & Medical Insuran	185.87	2,644	413.56		2,644	413.56	
	TA2-2.310	Street Opening Deposits	37,500.00						
	TA2-2.851	Engineering Deposits	2,148.00						
		** 2022 YEAR TOTALS	588,813.87						

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	LINE ITEM ANNUAL BUDGET	LINE ITEM BUDGET OVER AVAILABLE BUDG		GROUP BUDGET ANNUAL BUDGET	GROUP BUDGET OVER AVAILABLE BUDG	
2022-2023	A00-2.700	Rec Dept Clearing Acct	9,336.04						
	A00-5.1010.400	Town Board - Contractual	3,500.00	47,500	34,782.98		53,000	39,743.38	
	A00-5.1010.402	Town Board - Seminar/Confe	240.00	5,500	4,960.40		53,000	39,743.38	
	A00-5.1110.401	Justices - Office Supplies	100.85	2,800	1,255.15		29,265	26,537.57	
	A00-5.1220.400	Supervisor - Contractual	9.90	40,000	3,188.30		89,790	4,805.53	
	A00-5.1220.401	Supervisor - Office Suppli	605.00	3,000	183.04		89,790	4,805.53	
	A00-5.1330.401	Receiver of Taxes -Office	67.49	2,755	202.21		7,185	697.84	
	A00-5.1355.401	Assessors - Office Supplie	23.16	1,500	112.78		38,320	1,820.10	
	A00-5.1355.403	Assessors - Associations/D	219.00	720	619.00		38,320	1,820.10	
	A00-5.1355.405	Assessors - Information Te	470.00	2,000	1,530.00		38,320	1,820.10	
	A00-5.1410.401	Town Clerk - Office Suppli	80.00	2,200	2,241.56		8,495	242.45	
	A00-5.1410.402	Town Clerk - Seminars/Conf	85.12	2,000	135.55		8,495	242.45	
	A00-5.1410.408	Town Clerk - Printing/Ads	33.96	1,200	1,288.03-	Y	8,495	242.45	
	A00-5.1620.400	Buildings - Contractual	66.35	5,600	3,169.89-	Y	314,865	48,786.69	
	A00-5.1620.405	Buildings - Information Te	1,043.93	229,852	41,004.13		314,865	48,786.69	
	A00-5.1620.424	Buildings - Internet	85.17	1,470	766.84-	Y	314,865	48,786.69	
	A00-5.1670.401	Central Printing - Office	425.86	3,000	1,097.28-	Y	45,600	149.36-	Y
	A00-5.1670.409	Central Printing - Postage	5,500.00	32,000	179.01		45,600	149.36-	Y
	A00-5.3120.400	Police - Contractual	1,519.70	220,739	11,154.71		767,900	61,640.67	
	A00-5.3120.401	Police - Office Supplies	98.82	15,285	780.58-	Y	767,900	61,640.67	
	A00-5.3120.402	Police - Seminars/Conferen	616.00	26,725	5,604.60		767,900	61,640.67	
	A00-5.3120.403	Police - Associations/Dues	600.00	2,260	720.00		767,900	61,640.67	
	A00-5.3120.405	Police - Info Tech/Electro	2,338.88	10,250	4,060.11		767,900	61,640.67	
	A00-5.3120.409	Police - Postage	20.78	1,200	115.65		767,900	61,640.67	
	A00-5.3120.412	Police - Vehicle Repair	10,598.93	90,560	20,584.92		767,900	61,640.67	
	A00-5.3120.421	Police - Phone	2,124.96	28,500	5,380.25		767,900	61,640.67	
	A00-5.3120.423	Police - Security Service	30.00	420	179.90		767,900	61,640.67	
	A00-5.3120.446	Police - Maintenance Contr	6,486.60	51,126	23,640.97		767,900	61,640.67	
	A00-5.3120.448	Police - Uniforms & Cleani	2,544.12	49,374	12,597.10		767,900	61,640.67	
	A00-5.3120.461	Police - Accreditation	295.00	39,837	9,090.34		767,900	61,640.67	
	A00-5.3120.464	Police - Protection Gear	233.70	58,217	14,891.95		767,900	61,640.67	
	A00-5.3120.465	Police - Forensic	2,867.50	44,486	25,243.87		767,900	61,640.67	
	A00-5.5132.405	Garage - Information Techn	119.99	7,803	3,577.09		82,575	27,972.64	
	A00-5.5132.425	Garage - Garage/Bldg Maint	3,930.62	23,837	11,752.53		82,575	27,972.64	
	A00-5.7310.401	Recreation - Office Suppli	23.16	1,500	1,310.44		81,150	16,582.02	
	A00-5.7310.408	Recreation - Printing & Ad	14.99	4,100	2,067.89		81,150	16,582.02	
	A00-5.8810.400	Cemeteries - Contractual	467.50	4,000	1,241.50-	Y	4,000	1,241.50-	Y
	B00-5.3620.401	P & D - Office Supplies	92.66	1,500	1,196.18-	Y	123,948	3,319.56-	Y
	B00-5.8020.408	Planning - Advertising	125.98	800	139.54		21,600	7,553.28	
	DA0-5.5130.411	Machinery - Vehicle Expens	394.65	130,818	6,782.70-	Y	197,244	726.92-	Y
	DA0-5.5130.440	Machinery - Equipment Expe	280.00	45,044	478.73		197,244	726.92-	Y
	DA0-5.5130.447	Machinery - Shop Supply/St	294.78	10,200	868.84		197,244	726.92-	Y
	DA0-5.5130.473	Machinery - Shop Tools	428.29	7,000	3,568.14		197,244	726.92-	Y
	DA0-5.5140.410	Brush & Weeds - Fuel	71.94	3,000	162.33-	Y	61,125	30,286.54	
	DA0-5.5140.490	Brush & Weeds - Contractu	7,171.88	54,000	28,872.27		61,125	30,286.54	