

MINUTES
TOWN BOARD
August 14, 2013

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

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

The following Town Officers were present:

Don Martin, Attorney for the Town	Allison A. Edsall, Town Clerk
Fran Marlowe, Manlius Police Chief	Doug Miller, Town Engineer
Ann Oot, Town Manager	

Other persons attending:

Ellen & Mike McGrew, Manlius. Jane Lorraine, Kirkville. Mark Tetley, Fayetteville.

1. The Pledge of Allegiance

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

Supervisor Theobald stated that Mr. Jeff Haber, executive director of the Association of Towns of the State of New York, had passed away and a moment of silence was held in remembrance.

2. Approval of Minutes – July 24, 2013

Councilor Marnell made a motion, seconded by Councilor Giordano, to approve the minutes of July 24, 2013 as submitted by Town Clerk Edsall.

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

Nayes: 0

All in Favor.

Motion Carries.

3. Approval of Abstract # 15

Councilor Marzola made a motion, seconded by Councilor Green, to approve Abstract # 15 as submitted by Town Clerk Edsall.

TOWN OF MANLIUS
Fund Summary
Abstract # 15 - 2013

<u>CODE</u>	<u>FUND</u>	<u>TOTALS</u>
A	General Fund Townwide	\$195,659.93
B	General Fund Town	\$ 6,255.20
CM1	Police Trust	\$ 773.94
DA	Highway Fund Townwide	\$ 11,547.65
DB	Highway Fund Town	\$153,319.00
SL1	Overhead Lighting	\$ 1,813.05
SL2	Underground Lighting	\$ 1,846.99
SL3	Entry Lighting	\$ 97.79
SL4	Garden Park Lighting	\$ 556.95
SL5	Ratnaur Bridge Lighting	\$ 2,804.08
SR1	Manlius Trash District	\$ 107.67
SR2	Manlius Res Brush District	\$ 107.67
SS1	Manlius Con Sewer District	\$ 1,655.57

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

Nayes: 0

All in Favor.

Motion Carries.

4. Public Hearing – Property Tax Cap in the Town of Manlius for Fiscal Year 2014

Town Clerk Edsall stated that the resolution for 2014 Property Tax Cap Override is the same in nature as the resolution for 2013 and all publication requirements were met.

Supervisor Theobald stated that the Town Board strives to keep within the tax cap but it is necessary to override the Property Tax Cap as a precautionary measure.

Councilor Green made a motion, seconded by Councilor Giordano, to waive the reading of the public notice in the matter of - Local Law 2013-1 - Overriding the Property Tax Cap in the Town of Manlius for Fiscal Year 2014.

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Marnell made a motion seconded by Councilor Loeffler, to open the public hearing at 7:07 p.m. in the matter of - Local Law 2013-1 - Overriding the Property Tax Cap in the Town of Manlius for Fiscal Year 2014.

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

Nayes: 0 All in Favor. Motion Carries.

There being no comment from the public, Councilor Marnell made a motion, seconded by Councilor Giordano, to close the public hearing at 7:08 p.m. in the matter of - Local Law 2013-1 - Overriding the Property Tax Cap in the Town of Manlius for Fiscal Year 2014.

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Marzola made a motion, seconded by Councilor Loeffler, to pass Local Law 2013-1 - Overriding the Property Tax Cap in the Town of Manlius for Fiscal Year 2014 as outlined in the resolution prepared by the Attorney for the Town.

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Loeffler discussed the Property Tax Cap formula and stated that it is quite complicated due to the special districts within the Town. Councilor Loeffler stated that override has been passed by the Town Board for the past two years and the Town will continue the open budget process.

5. North Burdick Street Bridge – Maintenance Agreement

Town Engineer Doug Miller stated that the NYS DOT has requested that the Town sign a maintenance agreement for the North Burdick Street Bridge over the Old Erie Canal. Town Engineer Miller stated that the Town already maintains the bridge and this agreement would not change anything that the Town already does.

Councilor Marzola made a motion, seconded by Councilor Loeffler, to adopt the maintenance agreement for the North Burdick Street Bridge as presented in the resolution prepared by the New York State Department of Transportation.

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

Nayes: 0

All in Favor.

Motion Carries.

6. Appoint Real Property Assessment Aide

Town Manager Oot stated that Joseph Lesnau has taken the civil service exam for the position of Real Property Assessment Aide and after canvassing the eligible list it was determined that the Town could proceed with appointing him. Town Manager Oot stated that Mr. Lesnau had received a probationary appointment from the Town Board and has been working out well in the Department of Assessment.

Councilor Marnell made a motion, seconded by Councilor Marzola, to appoint Joseph Lesnau to the position of Real Property Assessment Aide.

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

Nayes: 0

All in Favor.

Motion Carries

7. eBay Accounts to Sell Surplus Property

Town Manager Oot stated that she has spoken with the NYS Comptroller's Office and Attorney Frateschi has spoken with the Association of Towns. Both organizations stated that it is an acceptable practice to sell surplus equipment on eBay. Town Manager Oot stated that several municipalities already follow this practice.

Councilor Marnell made a motion, seconded by Councilor Marzola, to authorize the Town of Manlius to use eBay to sell surplus items on line from various departments within the Town to as a means of disposing of surplus property and to further authorize the creation of a separate bank account dedicated to the receipt of funds from the sale of surplus property.

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

Nayes: 0

All in Favor.

Motion Carries

5. Correspondence/New Business

A) Highway Superintendent

Councilor Marnell made a motion, seconded by Councilor Giordano, to authorize the sale of the following surplus equipment for the prices listed through Auction International;

2002 International S-2674 dump Truck (non-operational vehicle) \$4,500

Nayes: 0 All in Favor. Motion Carries

Nayes: 0 All in Favor. Motion Carries.

Attorney Martin stated that the Village of Fayetteville would like to lease a small parcel of land behind Town Hall that is owned by the Town but is part of the Canal project. Attorney Martin stated that he has reviewed this lease and recommends the Town Board authorize the Supervisor to sign the 99 year lease for the small parcel of land behind Town Hall.

Councilor Marnell made a motion, seconded by Councilor Marzola to authorize the Town Supervisor to sign the 99 year lease for the small parcel of land behind Town Hall.

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

Town Manager Oot stated the Kirkville Fire Department would like to lease a 2001 Jeep from the Town and they would maintain the vehicle and return it to the Town when it is no longer needed.

Councilor Giordano made a motion, seconded by Councilor Loeffler for Kirkville to lease and maintain the 2001 Jeep.

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

Nayes: 0 All in Favor. Motion Carries.

Town Manager Oot stated that there is a 2007 Ford Crown Victoria that is surplus and can be auctioned off.

Councilor Loeffler made a motion, seconded by Councilor Marnell to declare the 2007 Ford Crown Victoria surplus and authorize the vehicle to be auctioned.

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

Nayes: 0 All in Favor. Motion Carries.

D) Town Clerk – No New Business

E) Police Chief

Chief Marlowe stated that he has received the new SIRO contract for both the Fayetteville – Manlius School District and the East Syracuse Minoa School District.

The Town Board requested that the Attorney for the Town review the SIRO contracts.

Councilor Loeffler made a motion, seconded by Councilor Green to authorize the Town of Manlius Police Chief to sign the 2013-2014 agreement between the Town of Manlius Police and the Fayetteville Manlius School District for a School Information Resource Officer (SIRO). The agreement will be contingent upon review by the Town Attorney.

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Marzola made a motion, seconded by Councilor Green to authorize the Town of Manlius Police Chief to sign the 2013-2014 agreement between the Town of Manlius Police and the East Syracuse-Minoa Central School District for a School Information Resource Officer (SIRO). The agreement will be contingent upon review by the Town Attorney.

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

Nayes: 0

All in Favor.

Motion Carries.

F) Town Board

Councilor Green congratulated the Town of Manlius Police Department for their recent awards. The Department received second place and rookie of the year award on the national level for their hard work in traffic enforcement.

Councilor Marnell thanked the Town of Manlius Police Department and the Fayetteville Fire Department for their help during his recent car accident.

Councilor Giordano discussed the new ambulance that the Village of Manlius discussed purchasing at their recent Village Board meeting.

G) Supervisor

Supervisor Theobald stated that he will be attending the OCEBA meeting to discuss health insurance rates.

Supervisor Theobald stated that the Town department budget workshops will be held September 7, 14 and 21 as previously published.

Supervisor Theobald stated that he has recently received a request to write a letter of support for The Canal Project.

Councilor Marzola made a motion, seconded by Councilor Giordano to authorize the Supervisor to send a letter of support for The Canal Project.

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

Nayes: 0

All in Favor.

Motion Carries.

Discussion ensued regarding the recent closing of Friendly's restaurant in Fayetteville.

7. Executive Session

With there being no further business to come before the Board, upon motion duly made by Councilor Giordano and seconded by Councilor Marzola, the Board unanimously voted to adjourn regular session at 8:11 pm to enter into executive session to discuss pending litigation.

EXECUTIVE SESSION MEETING MINUTES

Executive Session

August 14, 2013

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

The Town Board re-entered Regular Session at 9:05p.m.

There being no further business to come before the Board, upon motion duly made by Councilor Marnell and seconded by Councilor Loeffler, the Board unanimously voted to adjourn the Regular Session at 9:06 p.m.

Respectfully submitted by:

Allison Edsall
Manlius Town Clerk