

MINUTES
TOWN BOARD
October 14, 2015

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
Vincent Giordano, Councilor
Karen Green, Councilor
Richard Rossetti, Councilor

The following Town Officers were present:

Tim Frateschi, Attorney for the Town	Allison A. Edsall, Town Clerk
Fran Marlowe, Manlius Police Chief	Rob Cushing, Highway Superintendent
Ann Oot, Town Manager	Doug Miller, Engineer for the Town

Other persons attending: Ellen & Mike McGrew, Manlius. Stella Penizotto, Manlius. Jim Siciliano, Manlius. Frank Swider, Manlius.

The Pledge of Allegiance

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

Approval of Minutes – September 23, 2015

Councilor Marnell made a motion, seconded by Councilor Green, to approve the minutes of September 23, 2015 as submitted by Town Clerk Edsall.

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

Nayes: 0 All in Favor. Motion Carries.

Approval of Abstract # 19

Councilor Marzola made a motion, seconded by Councilor Rossetti, to approve Abstract # 19 as submitted by Town Clerk Edsall.

	TOWN OF MANLIUS	
	Fund Summary	
	Abstract # 19 - 2015	
<u>CODE</u>	<u>FUND</u>	<u>TOTALS</u>
A	General Fund Townwide	\$243,090.40
B	General Fund Town	\$ 9,675.01
DA	Highway Fund Townwide	\$ 21,781.90
DB	Highway Fund Town	\$143,145.11
HA	Landfill Capital Fund	\$ 1,527.00
SL1	Overhead Lighting	\$ 1,954.65
SL2	Underground Lighting	\$ 2,138.47
SL3	Entry Lighting	\$ 102.57
SL4	Garden Park Lighting	\$ 612.91
SL5	Ratnaur Bridge Lighting	\$ 3,343.54
SR1	Manlius Trash District	\$ 118.80
SR2	Manlius Res Brush District	\$ 118.80
SS1	Manlius Con Sewer District	\$ 2,091.04
TA2	Trust & Agency - Other	470.00

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

Nays: 0 All in Favor. Motion Carries

Set Date – Public Hearing - Preliminary Town Budget 2016 – November 4, 2015

Councilor Marzola made a motion, seconded by Councilor Loeffler, to set a date for a public hearing in the matter of Preliminary Budget 2016 on November 4, 2015 at 7:05p.m.

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

Nays: 0 All in Favor. Motion Carries.

Set Date - Public Hearing – Fayetteville Fire Contract 2016 – October 28, 2015

Councilor Marnell made a motion, seconded by Councilor Rossetti, to set a date for the public hearing on October 28, 2015 at 7:15 pm in the matter of the 2016 Fayetteville Fire Protection Contract with the Town of Manlius.

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

Nays: 0 All in Favor. Motion Carries.

Set Date - Public Hearing - Manlius Fire Contract 2016 – October 28, 2015

Councilor Marnell made a motion, seconded by Councilor Loeffler, to set a date for the public hearing on October 28, 2015 at 7:20 pm in the matter of the 2016 Manlius Fire Protection Contract with the Town of Manlius.

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

Nays: 0 All in Favor. Motion Carries.

Set Date - Public Hearing – Minoa Fire Contract 2016 – October 28, 2015

Councilor Giordano made a motion, seconded by Councilor Green, to set a date for the public hearing on October 28, 2015 at 7:25 pm in the matter of the 2016 Minoa Fire Protection Contract with the Town of Manlius.

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

Nays: 0 All in Favor. Motion Carries.

**Set Date – Public Hearing - Local Law 2015-5 Amending Section 155-3, Article 1
Definition of Day Care Center**

Attorney Frateschi stated that the current Town Code limits the number of children allowed in a daycare facility to 5. Attorney Frateschi stated that this no longer reflects current daycare facilities. Attorney Frateschi stated that if the Town is going to amend the zoning for the Shining Stars Daycare facility on Rte. 92 and Enders Rd., the Town should amend the code to reflect the current state regulations for daycare facilities.

Discussion ensued regarding state regulations that pertain to the number of children allowed in a daycare facility and the allowed hours of operation.

Councilor Marnell made a motion, seconded by Councilor Rossetti, to set a date for the public hearing on October 28, 2015 at 7:05 pm in the matter of Local Law 2015-5 Amending Section 155-3, Article 1 Definition of Day Care Center.

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

Nays: 0 All in Favor. Motion Carries.

**Set Date – Public Hearing – Local Law 2015-6 Zone Change – Shining Star Day
Care, Inc. from Rural Agricultural (RA) to Residential Mixed Use (RM)**

Nayes: 0

All in Favor.

Motion Carries.

Superintendent Cushing stated that he has filled the full time vacant Motor Equipment Operator position that was budgeted for in 2015 with J. Robert Schepp.

Superintendent Cushing stated that he is soliciting bids for the chipping & grinding of the brush pile at the highway garage. The bid opening will be held on October 27, 2015 at 9:30am.

B) Planning & Development

Town Engineer Miller stated that the Town of Manlius Zoning Board of Appeals would like clarification on the section of Town Code pertaining to monument signs and LED signs.

Conversation ensued regarding the methods used to determine the size of a sign and the use of LED technology.

The Town Board tabled the matter for further review. Councilor Giordano, Councilor Marzola and Councilor Loeffler will review the matter.

Town Engineer Miller stated that he has received a request from an applicant who would like to open a doggie daycare at 8188 Cazenovia Rte. 92 Manlius (formerly the Chocolate Pizza Company) which is currently zoned Commercial A(CA) . Town Engineer Miller stated that the Town Code only allows for dog daycares in the Restricted Agricultural (RA) zoning classification.

Councilor Loeffler asked if the applicant had considered requesting a zone change to Restricted Agriculture (RA) which would be more consistent with the corridor.

Attorney Frateschi stated that the parcel is too small for the (RA) zoning classification.

Attorney Frateschi asked the Town Board if they would like to consider adding dog daycare to the allowed uses in the Commercial A (CA) zoning classification.

Supervisor Theobald stated that he is concerned about how the other properties with the Commercial A (CA) zoning classification would be affected.

There was no consensus among the Town Board that dog daycare makes sense in the Commercial A (CA) zone. There was concern that it would have unintended effects in areas with higher density. The Town Board tabled the matter for further review.

(C) Town Manager

Town Manager Oot presented a budget transfer for work performed by the Highway Department for the Langmere Road drainage pipe replacement project in July 2015.

Councilor Loeffler made a motion, seconded by Councilor Rossetti, to authorize a budget transfer in the amount of \$9,238.91 from SD1 5.8540.400 to DB0 5.5110.478 for the portion of the Langmere Road drainage pipe replacement project completed by the Highway Department in July 2015

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

Nayes: 0 All in Favor. Motion Carries.

Town Manager Oot stated the contract for the phone service at Town Hall is expiring. Town Manager Oot stated that she has obtained quotes from three different providers for the phone service at Town Hall.

Town Manager Oot reviewed the per month quotes from the phone service providers.

Highbridge Communication - \$330
Cornerstone Technologies - \$450
Verizon - \$700

Town Manager Oot recommended that the Town contract with Highbridge Communications as they had the lowest cost. Town Manager Oot stated that Highbridge Communications is a subsidiary of Garam Group. Town Manager Oot stated that there will be an initial set-up cost of \$1,330.

Attorney Frateschi disclosed that he has represented Highbridge Communications in the past and that he had no knowledge that Highbridge was bidding on the phone service contract. Attorney Frateschi stated that the Town Board could waive the potential conflict of interest and he could review the contract presented to the Town Board.

Councilor Rossetti made a motion, seconded by Councilor Marzola, to waive the potential conflict of interest disclosed by Attorney Frateschi for contract negotiations with Highbridge Communications.

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Rossetti made a motion, seconded by Councilor Giordano, to authorize to the Supervisor to sign a service agreement with Highbridge Communications for the phone service at Town Hall for a period of 24 months subject to further review by the attorney for the Town.

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

Nayes: 0

All in Favor.

Motion Carries.

D) Attorney

Attorney Frateschi stated that the drainage, utility and access easements for Mallard's Landing Section 18B and 18C were ready to be accepted by the Town. He also stated that the conservation easement would be filed and then the owner would sell portions of that to the adjacent homeowners along Woodbox Road. This has already been reviewed and approved by the Planning Board.

Councilor Marnell made a motion, seconded by Councilor Loeffler, to approve easements for Mallards Landing Section's 18B & 18C contingent on legal and engineer approval.

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

Nayes: 0

All in Favor.

Motion Carries.

E) Town Clerk – No New Business

F) Police Chief

Chief Marlowe stated that the Town of Manlius Police Department has won 1st place in the New York State Law Enforcement Challenge for the traffic safety program. The Town Board congratulated the Town of Manlius Police Department.

G) Town Board

Councilor Giordano discussed the safety glass panel project for the counters at Town Hall.

Councilor Marnell asked about the status of the Planning Board membership guidelines and the advertisement for applications to fill the vacant positions on the Planning Board. Supervisor Theobald stated that the Town has published an advertisement seeking applicants to fill the 2 vacant positions on the Planning Board.

Councilor Green gave an update on the Deer Management Program meeting that was held in the Village of Fayetteville. Discussion ensued regarding the approval process for the deer management program. Discussion ensued regarding other municipalities, including the Town of Manlius, participating in a Deer Management Program.

Councilor Green gave an update on the Storm Ready meeting that she recently attended. Councilor Green stated that this program focuses on a grassroots program to notify residents of any type of weather condition.

