MINUTES
TOWN BOARD
September 12, 2012

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
Sandra A. Schepp, Councilor
Vincent Giordano, Councilor
Karen Green, Councilor

The following Town Officers were present:

Timothy Frateschi, Attorney for the Town
Fran Marlowe, Manlius Police Chief
Ann Oot, Town Manager
Allison A. Edsall, Town Clerk
David Tessier, Planning & Development
Rob Cushing, Highway Superintendent

Other persons attending:

Ellen & Mike McGrew, Manlius. Ken Wagner, Manlius. Jon Hefti, Manlius.

1. The Pledge of Allegiance

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

2. Approval of Minutes – August 22, 2012

Councilor Marnell made a motion, seconded by Councilor Giordano, to approve the minutes of August 22, 2012 as submitted by Town Clerk Edsall.

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

Nayes: 0 All in Favor. Motion Carries.

3. Approval of Abstract # 17

Councilor Marzola made a motion, seconded by Councilor Green, to approve Abstract # 17 as submitted by Town Clerk Edsall.

TOWN OF MANLIUS
Fund Summary
Abstract # 17

CODE	FUND	TOTALS
A	General Fund Townwide	$75,843.62
B	General Fund Town	$ 2,267.90
CM1	Police Trust	$ 2,015.00
CM4	Court Special Revenue	$ 379.06
DA	Highway Fund Townwide	$ 9,387.05
DB	Highway Fund Town	$56,808.15
SL1	Overhead Lighting	$ 1,946.60
SL2	Underground Lighting	$ 1,752.74
SL3	Entry Lighting	$ 102.06
SL4	Garden Park Lighting	$ 533.90
SL5	Ratnaur Bridge Lighting	$ 2,880.66
SR1	Manlius Trash District	$78,873.02
SR2	Manlius Res Brush District	$11,724.83
SS1	Manlius Con Sewer District	$ 1,392.24

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

Nayes: 0 All in Favor. Motion Carries.

4. 7:05PM Public Hearing – Special Permit – David Corbett, 7888 Saintville Rd., Kirkville – pole building construction

David Corbett, Owner, made a brief presentation on the proposed storage building with pole construction.

Attorney Frateschi stated for the record that Mr. Corbett is an employee of the Town of Manlius. Attorney Frateschi also stated that the Town of Manlius Planning Board has reviewed the application and gave a positive recommendation with the conditions that all future building colors must match the current colors and that these buildings will be used for personal use only.

Discussion ensued regarding the setback requirements in an Industrial Zone.

Councilor Marnell made a motion seconded by Councilor Schepp, to waive the reading in the matter of Public Hearing – Special Permit – David Corbett – 7888 Saintsville Road – Kirkville – storage building with pole construction.

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Marzola made a motion seconded by Councilor Loeffler, to open the public hearing at 7:07 pm on September 12, 2012 in the matter of Special Permit – David Corbett – 7888 Saintsville Road – Kirkville – storage building with pole construction.

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

Nayes: 0 All in Favor. Motion Carries.

There being no further comment from the public Councilor Marnell made a motion, seconded by Councilor Schepp, to close the public hearing at 7:08 pm on September 12, 2012 in the matter of Special Permit – David Corbett – 7888 Saintsville Road – Kirkville – storage building with pole construction.

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Green asked the applicant why he would not consider building one large building as opposed to a few smaller buildings. Mr. Corbett stated that he would like to keep the appearance of the area and smaller buildings are more affordable.

Councilor Marnell made a motion seconded by Councilor Marzola, to approve the Special Permit for a seven year period in the matter of David Corbett – 7888 Saintsville Road – Kirkville – storage building with pole construction as outlined in the resolution prepared by the Attorney for the Town.

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

Nayes: 0 All in Favor. Motion Carries.

5. Village of Fayetteville – Fireworks Permit

Director Tessier stated the Village of Fayetteville has requested a fireworks permit to set off fireworks at Wellwood Middle School, Rt 257 Fayetteville, NY. Director Tessier stated the application was reviewed by the Office of Planning and Development. Director Tessier stated that the application is complete, the fire departments have been notified and he recommends approval.

Councilor Marnell made a motion, seconded by Councilor Marzola, to approve the fireworks permit for the Village of Fayetteville on September 15, 2012 per the application submitted to the Town Clerk's Office.

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

Nayes: 0 All in Favor. Motion Carries.

6. Set Date – Public Hearing – Local Law 2012-3 Overriding the Property Tax Cap in the Town of Manlius for Fiscal Year 2013

Supervisor Theobald stated that overriding the property tax cap by local law is just a precaution for the Town and is in the Town's best interest. Supervisor Theobald stated that the preliminary budget has not been completely calculated yet and the Town may not need to override the tax cap.

Councilor Marzola stated that this law is being enacted from a protective standpoint and it is to err on the side of caution.

Councilor Marzola made a motion, seconded by Councilor Green to set a date for a public hearing in the matter of Local Law 2012-3 – Overriding the Property Tax Cap in the Town of Manlius for the Fiscal Year 2013 on September 26, 2012 at 7:05p.m.

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

Nayes: 0 All in Favor. Motion Carries.

7. Set Date - Public Hearing – Fayetteville Fire Contract

Conversation ensued regarding the timing of the fire contracts and the budget process.

Councilor Marnell made a motion, seconded by Councilor Marzola to set a date for a public hearing in the matter of Fayetteville Fire Contract 2013 on October 10, 2012 at 7:05p.m.

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

Nayes: 0 All in Favor. Motion Carries.

8. Set Date – Public Hearing – Manlius Fire Contract

Councilor Marzola made a motion, seconded by Councilor Schepp to set a date for a public hearing in the matter of Manlius Fire Contract 2013 on October 10, 2012 at 7:10p.m.

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

Nayes: 0 All in Favor. Motion Carries.

9. Set Date – Public Hearing – Minoa Fire Contract

Councilor Schepp made a motion, seconded by Councilor Marzola to set a date for a public hearing in the matter of Minoa Fire Contract 2013 on October 10, 2012 at 7:15p.m.

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

Nayes: 0 All in Favor. Motion Carries.

10. Set Date - Public Hearing - Preliminary Town Budget 2013

A lengthy discussion ensued regarding the legal timing of the budget process to include publication requirements, budget document availability and public hearing requirements.

Councilor Loeffler made a motion, seconded by Councilor Marzola to set a date for a public hearing in the matter of Preliminary Budget 2013 on October 24, 2012 at 7:05p.m.

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

Nayes: 0 All in Favor. Motion Carries.

11. Correspondence/New Business

A) Highway Superintendent

Robert Cushing, Highway Superintendent, stated that he is putting together the specifications for the bid process for a cab and chassis that was budgeted for. Highway Superintendent Cushing discussed the new OGS rules for the bid process.

B) Planning & Development

Director Tessier introduced David Weber the new part time code enforcement officer in the Office of Planning & Development.

Director Tessier stated that it is time to renew the annual Stormwater Agreement with the CNY Stormwater Coalition at an annual rate of $3600. Director Tessier stated that the contract is essentially the same as the previous contract and handles the education competent required for MS4 Stormwater compliance.

Councilor Giordano made a motion, seconded by Councilor Green, to authorize the Supervisor to enter into the annual Stormwater Agreement with the Central New York Regional Planning & Development Boards MS4 Stormwater Compliance Assistance Program in an amount not to exceed $3600.

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Giordano made a motion, seconded by Councilor Green, to authorize the Supervisor to sign the amended Memorandum of understanding for the Central New York Stormwater Coalition.

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

Nayes: 0 All in Favor. Motion Carries.

C) Attorney

Attorney Frateschi stated that the Town Board will need an executive session to discuss PBA negotiations and a specific personnel issue in the Office of Planning and Development.

D) Town Clerk

Town Clerk Edsall stated that mosquito beater kits are available in the Office of the Town clerk free of charge.

E) Town Board

Councilor Green stated that the Village of Manlius is beginning its bicentennial celebrations on Saturday September 21, 2012 with the opening of Founders Park.

Councilor Marzola made a motion, seconded by Councilor Marnell to increase revenues and expenditures in the amount of $54,726.30 to pay for the paving costs of Brandywine Circle.

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

Nayes: 0 All in Favor. Motion Carries.

F) Supervisor

Supervisor Theobald stated that he has received a stop sign request for Taylor Road and Tilton Road. Chief Marlowe and Superintendent Cushing stated that they would review the request.

Supervisor Theobald stated that the recent budget workshop was successful and the Town Board was able to meet with all of the Town Departments.

Councilor Marnell made a motion, seconded by Councilor Green to cancel the budget workshops scheduled for September 15, 2012 and September 22, 2012.

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

Nayes: 0 All in Favor. Motion Carries.

Supervisor Theobald gave a brief update on the snowplow negotiations with Onondaga County.

Councilor Marzola made a motion, seconded by Councilor Loeffler to authorize the hiring of Richard Weber at a rate of $12.50 for the position of Crossing Guard.

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

Nayes: 0 All in Favor. Motion Carries.

12. Adjournment

There being no further business to come before the Board, upon motion duly made by Councilor Marnell and seconded by Councilor Green, the Board unanimously voted to enter into executive session at 7:53 regarding PBA contract negotiations and a personnel matter in the Office of Planning and Development.

Respectfully Submitted by:

Allison Edsall
Town Clerk

13. EXECUTIVE SESSION

Executive Session
September 12, 2012

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

The Town Board re-entered Regular Session at 8:30 p.m.

Councilor Schepp made a motion, seconded by Councilor Marnell to authorize the supervisor to enter into a contract with the unified Court System to hire Court Attendants for the Justice Court.

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

Nayes: 0 All in Favor. Motion Carries

There being no further business to come before the Board, upon motion duly made by Councilor Marzola and seconded by Councilor Marnell, the Board unanimously voted to adjourn the Regular Session at 8:32 p.m.

Submitted by:

Timothy Frateschi
Attorney for the town