

MINUTES
TOWN BOARD
September 26, 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	Allison A. Edsall, Town Clerk
Fran Marlowe, Manlius Police Chief	David Tessier, Planning & Development
Ann Oot, Town Manager	

Other persons attending:

Ellen & Mike McGrew, Manlius. Judy Dardzinski, Manlius. Michael Hare, Kirkville. Ken Wagner, Manlius. Ned Campbell, Eagle Bulletin.

1. The Pledge of Allegiance

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

2. Discover the Town of Manlius – Greater Manlius Chamber of Commerce

Judy Dardzinski, Greater Manlius Chamber of Commerce, made a brief presentation regarding the upcoming Discover the Town Passport book event. Residents can participate in this program by visiting local businesses collecting stickers in a passport book provided by the Greater Manlius Chamber of Commerce and enter to win a raffle for Manlius bucks. Mrs. Dardzinski also highlighted some of the many upcoming events for the Greater Manlius Chamber of Commerce.

3. Approval of Minutes – September 12, 2012

Councilor Marnell made a motion, seconded by Councilor Giordano, to approve the minutes of September 12, 2012 as submitted by Town Clerk Edsall.

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

Nayes: 0

All in Favor.

Motion Carries.

4. Approval of Abstract # 18

Councilor Marzola made a motion, seconded by Councilor Green, to approve Abstract # 18 as submitted by Town Clerk Edsall.

TOWN OF MANLIUS
Fund Summary
Abstract # 18

<u>CODE</u>	<u>FUND</u>	<u>TOTALS</u>
A	General Fund Townwide	\$155,968.34
B	General Fund Town	\$ 9,176.61
CM1	Police Trust	\$ 414.00
DA	Highway Fund Townwide	\$ 5,693.26
DB	Highway Fund Town	\$ 10,567.38
SL1	Overhead Lighting	\$ 1,969.41
SL2	Underground Lighting	\$ 1,752.12
SL3	Entry Lighting	\$ 102.84
SL4	Garden Park Lighting	\$ 534.93
SL5	Ratnaur Bridge Lighting	\$ 2,877.20
SR1	Manlius Trash District	\$ 98.85
SR2	Manlius Res Brush District	\$ 98.84
SS1	Manlius Con Sewer District	\$ 909.34
SW2	Manlius Con Water District	\$ 22,473.80
W10	Eagle Village Water District	\$ 999.00
W20	Jas N Manlius Water District	\$ 59.20
W40	Minoa Road Water District	\$ 29.60
W50	Buttonvale Water District	\$ 99.40
W60	Milnerfield Water District	\$ 1,528.10
W80	Schepp Water District	\$ 199.80
W90	Watervale Water	\$ 29.60

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

Nayes: 0

All in Favor.

Motion Carries.

Supervisor Theobald discussed the budget process undertaken for the 2012 fiscal year and stated that this 2013 budget legislation would prevent possible penalization.

Discussion ensued regarding the property tax cap law, the funds included, the state audit process, resultant penalties, and the confusion regarding the year 2 tax cap calculation.

Councilor Green made a motion, seconded by Councilor Loeffler, to waive the reading of the public notice in the matter of - Local Law 2012-3 - Overriding the Property Tax Cap in the Town of Manlius for Fiscal Year 2013.

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Marnell made a motion, seconded by Councilor Green, to open the public hearing at 7:18 p.m. in the matter of - Local Law 2012-3 - Overriding the Property Tax Cap in the Town of Manlius for Fiscal Year 2013.

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

Nayes: 0 All in Favor. Motion Carries.

Mike McGrew, Manlius, stated that he would like to know how the State bills the Town for entitlements and further explained that in previous years he has asked for more detail on a budget line for entitlements for over a million dollars.

Councilor Marzola explained that while the budget line for retirement benefits does not have exact employee detail for those benefits, there is specific billing paperwork to back up that budget line item.

Councilor Loeffler explained that the Town uses a budget format that is directed from the State.

Discussion ensued regarding how the retirement bills are calculated.

There being no further comment from the public, Councilor Marnell made a motion, seconded by Councilor Green, to close the public hearing at 7:26 p.m. in the matter of - Local Law 2012-3 - Overriding the Property Tax Cap in the Town of Manlius for Fiscal Year 2013.

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 pass Local Law 2012-3 - Overriding the Property Tax Cap in the Town of Manlius for Fiscal Year 2013 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.

8. Special Permit – Michael Hare – Discussion

Attorney Frateschi stated that the Town has received a referral resolution dated September 12, 2012 from the Onondaga County Planning Board that recommends approval of the special permit but with some clauses.

Councilor Loeffler stated that there is very clear criteria regarding all of the dogs that are on the premise. Councilor Loeffler stated that sewage and overall disposal of dog waste is very important. Councilor Loeffler discussed the new criteria from the local law for barking dogs.

Discussion ensued regarding the use of bark collars.

Councilor Marnell stated that he is very concerned about noise in the area.

Councilor Marzola discussed the Paws at Whitecross Farms Special permit and the key areas outlined in that permit.

Attorney Frateschi stated that he can draft a special permit that addresses the issues of sewage, waste disposal, barking dogs and is issued in phases.

The Town Board tabled the matter to review a draft special permit as prepared by the Attorney for the Town.

9. J-Cap Grant

Councilor Schepp discussed the current caseload in the Town of Manlius Justice Court and discussed the need for an AED in the Courtroom and records management software.

Councilor Schepp made a motion, seconded by Councilor Marnell, to approve the application for the 2012 JCAP Grant as described in the Resolution prepared by the Town Attorney.

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

Nayes: 0

All in Favor.

Motion Carries.

10. Correspondence/New Business

A) Highway Superintendent

Chief Marlowe gave a brief update on the traffic study performed on Taylor Road and Tilton Road. Chief Marlowe stated that the speed data recorder broke during the traffic study and a new study will be performed.

B) Planning & Development– No New Business

C) Attorney

Attorney Frateschi discussed the Court attendant contract for the Town of Manlius Justice Court.

Councilor Marnell made a motion, seconded by Councilor Giordano, to authorize the hire of Michael Puma at a rate of \$30.00 per hour plus the cost of the insurance rider conditioned upon a written agreement to be reviewed 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.

D) Town Clerk – No New Business

E) Town Board

Councilor Giordano discussed upcoming improvements to the heating and air conditioning unit for Town Hall as recommended by Johnson Controls.

Councilor Marnell discussed the need for a full time Real Property Assessment Aide in the Department of Assessment. Councilor Marnell stated that there is money in the 2012 budget for this position as the part time position that was funded for 2012 and was not filled.

Patrick Duffy, Town Assessor, discussed the new regulations and large volume of work that needs to be completed. Assessor Duffy also discussed the use of his personnel to cover other departments that subsequently leaves the Department of Assessment short staffed.

Discussion ensued regarding the 2013 budget.

Councilor Marnell made a motion, seconded by Councilor Giordano, to turn the part time position in the Department of Assessment into a full time Real Property Aide position and authorize the advertisement of the position.

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

Nayes: 0

All in Favor.

Motion Carries.

F) Supervisor

Supervisor Theobald discussed the recent population 1.6 % rate increase for the Town of Manlius per the Department of State.

Supervisor Theobald stated that this will be the last meeting for David Tessier Director of Planning and Development and read aloud a proclamation for Director Tessier from the Town Board. Supervisor Theobald thanked Lisa Baleno for preparing the proclamation.

11. EXECUTIVE SESSION

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 adjourn regular session at 8:13pm to enter into executive session to discuss an specific individual's employment history.

Respectfully Submitted by:

Allison Edsall
Town Clerk

7. EXECUTIVE SESSION MEETING MINUTES

**Executive Session
September 26, 2012**

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

The Town Board re-entered Regular Session at 8:36 p.m.

Councilor Marnell made a motion, seconded by Councilor Giordano, to increase the number of hours of Miller Engineering from 15 hours per week to 25 hours per week until a replacement for the Director of Planning & Development is identified.

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

Nayes: 0

All in Favor.

Motion Carries

There being no further business to come before the Board, upon motion duly made by Councilor Loeffler and seconded by Councilor Marnell, the Board unanimously voted to adjourn the Regular Session at 8:38 p.m.

Submitted by:

Timothy Frateschi
Attorney for the Town