

MINUTES
TOWN BOARD
November 28, 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	Doug Miller, Town Engineer
Ann Oot, Town Manager	Rob Cushing, Highway Superintendent

Other persons attending:

Ellen & Mike McGrew, Manlius. David Knapp, Lafayette. Peter Barr, Manlius. Ken Wagner, Manlius. Martha Newell, E. Syracuse. Catherine Bebee E. Syracuse. Tony Emmi, E. Syracuse. Jim Lighton, Camillus. John Hefti, Manlius, Kevin Holmquist

1. The Pledge of Allegiance

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

2. Approval of Minutes – November 14, 2012

Councilor Marnell made a motion, seconded by Councilor Green, to approve the minutes of November 14, 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.

3. Approval of Abstract # 22

Fund Summary
Abstract # 22

<u>CODE</u>	<u>FUND</u>	<u>TOTALS</u>
A	General Fund Townwide	\$127,255.85
B	General Fund Town	\$ 3,045.49
CM1	Police Trust	\$ 3,227.00
DA	Highway Fund Townwide	\$ 32,735.39
DB	Highway Fund Town	\$ 4,717.22
SR1	Manlius Trash District	\$ 98.85
SR2	Manlius Res Brush District	\$ 98.84
SS1	Manlius Con Sewer District	\$ 194.47

Councilor Marzola made a motion, seconded by Councilor Schepp, to approve Abstract # 22 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.

4. 7:05PM Public Hearing Zone Change Request of Cecelia Clark, on behalf of the Sacco Trust, 7240 Richmond Rd., East Syracuse, NY tax map# (065.-01-30) change from R3 – RA to R-1.

Jim Lighton, Lighton Engineering, stated that he is representing the applicant for the zone change, Cecilia Clark, the Trustee of the Sacco Trust. Mr. Lighton stated that the applicant would like the zone change from R-A and R-3 to R-1 to create one buildable lot in the southeasterly corner.

Attorney Frateschi stated that the R-1 zoning is the more restrictive than the current zoning. Attorney Frateschi explained the allowable uses in the R-A, R-3 and R-1 zoning.

Conversation ensued regarding the square footage requirement for septic versus sewer and spot zoning.

Councilor Marnell made a motion, seconded by Councilor Marzola, to waive the reading in the public notice of the public hearing for the zone change request, Cecelia Clark – 7240 Richmond Rd. East Syracuse – Tax Map # (065.-01-30) – R-3 and R-A to R-1.

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Loeffler made a motion, seconded by Councilor Marnell, to open the public hearing for the zone change request, Cecelia Clark – 7240 Richmond Rd. East Syracuse – Tax Map # (065.-01-30) – R-3 and R-A to R-1 on November 28, 2012 at 7:07 p.m.

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

Nayes: 0

All in Favor.

Motion Carries.

Catherine Bebee, East Syracuse, stated that at the meeting of October 10th the surveyor brought up the issue of this change and a family trust being broken. Ms. Bebee asked why a zone change is necessary and if the Town is getting involved in family trust matters.

Mr. Lighton stated that there will be a request for a subdivision and Cecilia Clark will be terminating the trust once the land issue is resolved.

Attorney Frateschi stated that the parcel has split zoning and the applicant has asked for a more restrictive zoning. Attorney Frateschi stated that this zone change would clean up the lot so that it is all the same zoning. The zone change will not affect neighbors because the allowed uses will be less than existing zoning. The issue of the trust is not a matter for this Board.

Councilor Loeffler stated that it is very common for the Town Board to consider a one lot zone change.

Toni Emmi, Davis St., asked why does the owner want the zone change and what does this allow?

Attorney Frateschi stated that the trust owns the property. This is a zone change under one identity. Attorney Frateschi stated that it is his understanding that if the trust gets dissolved the ultimate beneficiary would like to subdivide the property for the purpose of building a single family home.

Councilor Schepp stated that the Town Board has no covenants on this property.

Councilor Loeffler stated that when the Town Board approves a zone change request they are not telling the applicant what they should or should not build on the property.

Discussion ensued regarding the zoning process and the current allowable uses under R-3 and R-A.

Catherine Bebee asked that the record reflect that the Town Board stated that it was not interfering in family trust issues or breaking up the family trust.

Councilor Loeffler made a motion, seconded by Councilor Marnell, to close the public hearing for the zone change request, Cecelia Clark – 7240 Richmond Rd. East Syracuse – Tax Map # (065.-01-30) – R-3 and R-A to R-1 on November 28, 2012 at 7:17 p.m.

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

Nays: 0 All in Favor. Motion Carries.

Attorney Frateschi stated that the vote cannot be held until the resolution from the County Planning Department is returned.

SEQR

Councilor Marnell made a motion, seconded by Councilor Marzola to declare the Town of Manlius Town Board lead agency, and to issue a negative declaration for all of the reasons stated in the short form EAF and discussed during the public hearing in the matter of the Sacco Trust zone change request, Cecelia Clark, Trustee – 7240 Richmond Rd. East Syracuse – Tax Map # (065.-01-30) – from R-3 and R-A to R-1.

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

Nays: 0 All in Favor. Motion Carries.

5. Onondaga County Legislators – 2013 Onondaga County Budget

Kevin Holmquist, County Legislator, made a brief presentation on the state of the county and the 2013 budget. Legislator Holmquist discussed the facilities in the County that need to be updated.

Bill Myer, County Legislator, made a brief presentation on the impacts of Medicaid on the County budget and the future impacts Medicaid could have on local governments.

David Knapp, County Legislator, made a brief presentation on the County Legislative budget process.

Councilor Marzola asked about the proposed County sustainability process. Discussion ensued.

Councilor Marnell asked about how the local governments can begin to stop or reduce welfare and Medicaid? Discussion ensued.

6. Correspondence/New Business

A) Highway Superintendent - No New Business

B) Planning & Development – No New Business

C) Attorney –

Attorney Frateschi stated that at the Board's request he contacted the Village of Minoa attorney to discuss whether the Village would be willing to enter into an intermunicipal sewer agreement for the proposed adult care home on Clemons Road. He is waiting for a response. The applicant has asked for an annexation to the Village.

D) Town Clerk – No New Business

E) Town Board

Councilor Marnell introduced Town Assessor Duffy and Joe Lesnau.

Town Assessor Duffy discussed the process he and Town Manager Oot went through to review applications for the full time position. Town Assessor Duffy introduced Joe Lesnau as the candidate that he selected for the position and gave a brief introduction of Mr. Lesnau.

Councilor Marnell made a motion, seconded by Councilor Giordano, to hire Joe Lesnau as a full time real property assessment aide at a yearly salary rate of \$27,000 effective Monday December 5, 2012.

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 reported that Jeffrey Haber has retired from the position of Executive Director of the Association of Towns.

Supervisor Theobald discussed rising retirement costs.

7. Adjournment

There being no further business to come before the Board, upon motion duly made by Councilor Loeffler and seconded by Councilor Green, the Board unanimously voted to enter into executive session at 8:05 p.m. regarding Contract Negotiations and litigation.

Respectfully Submitted by:

Allison Edsall
Town Clerk

8. EXECUTIVE SESSION

Executive Session
November 28, 2012

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

The Town Board re-entered Regular Session at 8:40 p.m.

There being no further business to come before the Board, upon motion duly made by Councilor Loeffler and seconded by Councilor Schepp, the Board unanimously voted to adjourn the Regular Session at 8:41 p.m.

Submitted by:

Timothy Frateschi
Attorney for the town