

MINUTES
TOWN BOARD
December 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:

Don Martin, Attorney for the Town	Allison A. Edsall, Town Clerk
Doug Miller, Town Engineer	Ann Oot, Town Manager
Rob Cushing, Highway Superintendent	

Other persons attending:

Ellen & Mike McGrew, Manlius. Elizabeth Emin, E. Syracuse. Paige Jacobs, Kirkville. Anisa Husejnovic, E. Syracuse. Kaitlyn Shaughnessy, Minoa. Olivia Chopskie, E. Syracuse.

1. The Pledge of Allegiance

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

2. Approval of Minutes – November 28, 2012

Councilor Marnell made a motion, seconded by Councilor Green, to approve the minutes of November 28, 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 # 23

Councilor Marzola made a motion, seconded by Councilor Marnell, to approve Abstract # 23 as submitted by Town Clerk Edsall.

Fund Summary
Abstract # 23

<u>CODE</u>	<u>FUND</u>	<u>TOTALS</u>
A	General Fund Townwide	\$1,011,818.40
B	General Fund Town	\$ 35,065.64
DA	Highway Fund Townwide	\$ 157,204.13
DB	Highway Fund Town	\$1,130,065.17
SD3	Consolidated Drainage #3	\$ 22,101.00
SL1	Overhead Lighting	\$ 2,256.07
SL2	Underground Lighting	\$ 1,924.77
SL3	Entry Lighting	\$ 210.66
SL4	Garden Park Lighting	\$ 547.90
SL5	Ratnaur Bridge Lighting	\$ 3,648.72
SR1	Manlius Trash District	\$ 78,873.02
SR2	Manlius Res Brush District	\$ 11,854.64
SS1	Manlius Con Sewer District	\$ 1,378.77

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

Nayes: 0

All in Favor.

Motion Carries.

Doug Miller, Town Engineer, reviewed all of the special permit renewal applications that are being presented at the Board Meeting. Town Engineer Miller stated that all of the applications that were submitted are complete and there are no complaints on file for any of the locations.

Councilor Schepp asked if a public hearing was necessary for a special permit renewal. Town Attorney Martin explained the special permit renewal process and stated that a public hearing was not required for a renewal. Conversation ensued.

4. Robert Johnson – Renewal Special Permit – Landscaping Business, 7470 Kirkville Rd., East Syracuse

Councilor Giordano made a motion, seconded by Councilor Marnell, made a motion to approve the special permit renewal for Robert Johnson – Landscaping Business – 7470 Kirkville Road – East Syracuse – Tax Map # 055-01-20.0 for a seven year period expiring 12-31-2019.

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

Nayes: 0

All in Favor.

Motion Carries.

Highway Superintendent Robert Cushing stated that he has received a request from Sharon Caron to reduce the Letter of Credit being held per the highway agreement for Brinan Fields Run and Fallen Oaks Lane. Highway Superintendent Cushing stated that the original letter of credit is \$112,000 and Mrs. Caron has requested a reduced rate of

\$50,000 as the binder coat has been installed. Highway Superintendent Cushing stated that he has inspected the binder coat and it is acceptable.

Councilor Loeffler made a motion, seconded by Councilor Marzola, to reduce the letter of credit required for the highway agreement for Brinan Fields Run and Fallen Oaks Lane (Brinan Development LLC) from \$112,000.00 to \$50,000.

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

Nays: 0 All in Favor. Motion Carries.

Highway Superintendent Robert Cushing stated that he has received a request from Tom Oot to reduce the Letter of Credit being held per the highway agreement for Strawmount Trail and Haystack Lane (Megnin Farms at Poolsbrooke, Section 1). Highway Superintendent Cushing stated that the original letter of credit is \$120,000 and Tom Oot has requested a reduced rate of \$50,000 as the binder coat has been installed. Highway Superintendent Cushing stated that he has inspected the binder coat and it is acceptable.

Councilor Loeffler made a motion, seconded by Councilor Marzola, to reduce the letter of credit required for the highway agreement for Strawmount Trail and Haystack Lane (Megnin Farms at Poolsbrooke, Section 1) from \$120,000.00 to \$50,000.

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

Nays: 0 All in Favor. Motion Carries.

Highway Superintendent Cushing stated that a recent auctions internationals sales amount must be adjusted due to a misunderstanding about the item up for auction. Highway Superintendent Cushing stated that \$865.00 in revenue will not be collected from the 11-09-2012 auction and the Town will retain an assortment of plow parts and used frames and grates. Conversation ensued regarding the bid process.

Councilor Marzola made a motion, seconded by Councilor Giordano to adjust the bid revenue amount from the 11-09-2012 auction from \$39,985 and \$39,120 as these items were declined and not sold.

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

Nays: 0 All in Favor. Motion Carries.

B) Planning & Development - None

C) Attorney –

Don Martin, Attorney for the Town, gave a brief explanation of the law regarding executive session.

D) Town Clerk – No New Business

E) Town Board – No New Business

F) Supervisor

Supervisor Theobald stated that the Village of Minoa was not interested in an intermunicipal contract as the Town Board discussed and they would like to proceed with an annexation. The property proposed to be annexed is 35.887 acres on Baird Street, Richmond Road and the applicant is Robert C. Raimondo.

9. EXECUTIVE SESSION

There being no further business to come before the Board, upon motion duly made by Councilor Giordano and seconded by Councilor Marnell, the Board unanimously voted to adjourn regular session at 7:16 p.m. to enter into executive session for discussion regarding contract negotiations.

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

Nays: 0

All in favor.

Motion Carries.

Respectfully Submitted by:

Allison Edsall
Town Clerk

Executive Session December 12, 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 8:43 p.m.

There being no further business to come before the Board, upon motion duly made by Councilor Schepp and seconded by Councilor Loeffler, the Board unanimously voted to adjourn the Regular Session at 8:45 p.m.

Submitted by:

Donald J. Martin, Esq.