

**MINUTES
TOWN BOARD
February 10, 2016**

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. David Wright, Cazenovia. Ronald Shoemaker, E. Syr. Phil Hullar, Minoa. William Kelsey, Kirkville. Bob Duncanson, Fayetteville. Barbara Rivette, Chittenango. Lucy Gallery, E. Syr. Carter Hale, Fayetteville. Nathan Hale, Jamesville. Ethan Horn, Jamesville. Ethan Bird, Fayetteville. Shane Bird, Fayetteville. Hayleigh Gowans, Eagle Bulletin. Tyler Sheffield, 2820 Citation Dr, Fabius. Henry McIntosh, Fayetteville. Patricia Gagliano, Fayetteville. William Bertrand, E. Syracuse. Arthur Egy, E. Syracuse.

The Pledge of Allegiance

Supervisor Theobald, called the meeting to order at 7:00 pm. Boy Scout Troop 154 of Fayetteville led the Pledge of Allegiance. Supervisor Theobald welcomed everyone and thanked all for attending.

Approval of Minutes – January 27, 2016

Councilor Marnell made a motion, seconded by Councilor Rossetti, to approve the minutes of January 27, 2016 as submitted by Town Clerk Edsall.

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

Nays: 0

All in Favor.

Motion Carries.

Approval of Abstract # 3

Councilor Marzola made a motion, seconded by Councilor Green, to approve Abstract # 3 as submitted by Town Clerk Edsall.

	TOWN OF MANLIUS	
	Fund Summary	
	Abstract # 3 - 2016	
<u>CODE</u>	<u>FUND</u>	<u>TOTALS</u>
A	General Fund Townwide	\$ 270,924.52
B	General Fund Town	\$ 5,799.95
DA	Highway Fund Townwide	\$ 75,979.49
DB	Highway Fund Town	\$ 1,198.70
SF1	Fayetteville Fire Protection	\$ 1,458,028.00
SF2	Manlius Fire Protection	\$ 1,017,079.00
SF3	Minoa Fire Protection	\$ 833,144.00
SF4	Kirkville Fire Department	\$ 182,885.00
SL1	Overhead Lighting	\$ 2,286.89
SL2	Underground Lighting	\$ 2,294.34
SL3	Entry Lighting	\$ 111.01
SL4	Garden Park Lighting	\$ 628.00
SL5	Ratnaur Bridge Lighting	\$ 4,152.90
SR1	Manlius Trash District	\$ 129.72
SR2	Manlius Res Brush District	\$ 129.72
SS1	Manlius Con Sewer District	\$ 1,698.61
TA2	Trust & Agency - Other	280.00
W80	Schepp Water District	\$ 6,457.00

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

Nayes: 0

All in Favor.

Motion Carries

7:05PM Public Hearing - Local Law 2016-2 Amending Chapter 155 of the Code of the Town of Manlius to amend Article IV entitled the Special Regulations “Illuminating and Flashing Signs”

Attorney Frateschi gave a brief overview of Local Law 2016-2.

Section 1. That Chapter 155, Article IV, entitled “Special Regulations” of the Code of the Town of Manlius, as amended, is further amended to add the following modification to 155-25(G) as follows:

§ 155-25 Permanent Signs.

G. Illuminating and flashing signs.

- (1) Illumination of signs shall be allowed by a steady light, either internally or externally, provided that such lighting will not illuminate or reflect onto adjacent or other properties.

- (2) Flashing, oscillating and revolving signs shall not be permitted unless necessary for public safety or welfare.
- (3) Light emitting diode (LED) display signs, or signs similar in technology as determined by the Code Enforcement Officer, that scroll, move, display animation, or change pictures or script shall be prohibited in the Town of Manlius.

Councilor Marnell made a motion seconded by Councilor Giordano, to declare the Town of Manlius lead agency for SEQR purposes in the matter of Local Law 2016-2 amending Chapter 155 of the Code of the Town of Manlius to amend Article IV entitled the Special Regulations “Illuminating and Flashing Signs”

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

Nayes: 0 All in Favor. Motion Carries

Councilor Marnell made a motion, seconded by Councilor Green to declare the matter of the Local Law 2016-2 Amending Chapter 155 of the Code of the Town of Manlius to amend Article IV entitled the Special Regulations “Illuminating and Flashing Signs” an unlisted action for SEQR purposes.

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

Nayes: 0 All in Favor. Motion Carries

Attorney Frateschi reviewed Part II of the short environmental assessment form with the Town Board. The Town Board determined that each of the environmental factors would have no more than a small to moderate impact. After further discussion, the Board agreed that there would be no significant environmental impact by amending Chapter 155 of the Code of the Town of Manlius to amend Article IV entitled the Special Regulations “Illuminating and Flashing Signs” based on the reasons set forth in the Resolution drafted by the Attorney for the Town.

Councilor Marnell made a motion, seconded by Councilor Giordano, to issue a negative declaration under the State Environmental Quality Review act.

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

Nayes: 0 All in Favor. Motion Carries

Councilor Marnell made a motion, seconded by Councilor Green, to waive the reading of the public notice in the matter of - Local Law 2016-2 Amending Chapter 155 of the Code of the Town of Manlius to amend Article IV entitled the Special Regulations “Illuminating and Flashing Signs”

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Marnell, made a motion, seconded by Councilor Green, to open the public hearing at 7:07pm in the matter of - Local Law 2016-2 Amending Chapter 155 of the Code of the Town of Manlius to amend Article IV entitled the Special Regulations “Illuminating and Flashing Signs”

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

Nayes: 0 All in Favor. Motion Carries.

Henry McIntosh, Chairman of the Zoning Board of Appeals, stated that he would like the terms “flashing and fading” added to (Section G) #3 of the amended local law.

Chairman McIntosh stated that he is in favor of LED lights but with the proper controls. Chairman McIntosh also stated that he has checked for traffic and safety complaints on the existing LED lights in the community and there have been no complaints or concerns.

Councilor Marzola asked Chairman McIntosh if the ZBA was comfortable with (Section G) #3 (prohibiting moving LED lights) Chairman McIntosh stated that he was comfortable with the addition of (Section G) #3 and requested that the term fading was added to the law.

There being no further comments from the public, Councilor Giordano made a motion, seconded by Councilor Green, to close the public hearing at 7:11pm in the matter of - Local Law 2016-2 Amending Chapter 155 of the Code of the Town of Manlius to amend Article IV entitled the Special Regulations “Illuminating and Flashing Signs”

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

Nayes: 0 All in Favor. Motion Carries

Councilor Loeffler asked if the intensity of the LED light will be measured and added that lumens is the typical standard of measurement. Chairman McIntosh stated that the company that installs the LED lights could certify that the lights comply with Town Code.

The Town Board tabled the matter until the Onondaga County Planning Board gave its recommendations.

7:10PM Continued Public Hearing – Local Law 2016-1 - Amending Chapter 155 of the Code of the Town of Manlius to amend Article IV entitled the Special Regulations “Commercial Off-site-use Solar Energy Systems.”

Attorney Frateschi stated that the Central New York Regional Planning and Development Board (CNYRPDB) has drafted a model law pertaining to commercial and residential solar arrays. Attorney Frateschi stated that he has received the model law and CNYRPDB has requested that the Town consider the model law. Attorney Frateschi stated that he will review and merge both laws.

Mike McGrew, Manlius, stated that he is currently working on the installation of a solar farm with 8800 panels. Mr. McGrew stated that in the eastern part of New York State there is a solar array being constructed that has 114,000 panels. Mr. McGrew asked how the proposed legislation addresses fencing around the solar array installation?

Mr. McGrew also stated that the government has extended the subsidies for solar arrays until 2020.

Barbara Rivette, Town Historian, commended the Town Board for adding the Industrial zoning classification to the local law (to allow solar arrays to be constructed on parcels with the Industrial zoning classification). Town Historian Rivette stated that the Town has lands with the Industrial zoning classification that may be used for unknown industries. Town Historian Rivette requested the Town Board add the Industrial zoning classification to Section H of the proposed local law.

Town Historian Rivette commended the Town Board for the installation of new windows at Town Hall.

Spencer Sanders, Manlius, asked about the current size of the proposed solar array farm. Councilor Rossetti stated that the Town has not received an official application from Sun Edison for a solar array farm in the Town of Manlius.

Mr. Sanders asked about the proposed viewshed policies and how that would affect homeowners. Councilor Loeffler stated that the Town Board is just beginning to consider the viewshed policy. Attorney Frateschi explained that the current local law states that the solar panels cannot be visible from any areas.

Conversation ensued regarding how the homeowners and the public would have their viewshed protected.

There being no further comments from the public, Councilor Rossetti made a motion, seconded by Councilor Giordano, to close the public hearing at 7:30pm in the matter of - Local Law 2016-1 - Amending Chapter 155 of the Code of the Town of Manlius to amend Article IV entitled the Special Regulations “Commercial Off-site-use Solar Energy Systems.”

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

Supervisor Theobald stated that he and other Town Officials will be attending the Association of Towns upcoming training in New York City.

There being no further business to come before the Board, upon motion duly made by Councilor Marnell and seconded by Councilor Giordano the Board voted unanimously to adjourn regular session at 7:48PM.

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

Nays: 0

All in favor.

Motion Carries.

Respectfully Submitted by:

Allison Edsall
Town Clerk