

**MINUTES
TOWN BOARD
January 25, 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
Fran Marlowe, Manlius Police Chief	Rob Cushing, Highway Superintendent
David Tessier, Planning & Development	Ann Oot, Town Manager

Other persons attending:

Ellen & Mike McGrew, Manlius. Lou Van Wie, Kirkville. Amanda Seef, Eagle Bulletin. David Barnwell, Barbara Rivette, Town Historian, Ken Wagner, Manlius. Jon Hefti, Manlius. Mary Coleman, Fayetteville. Joe & Marcia Novek, Manlius.

1. THE PLEDGE OF ALLEGIANCE

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

2. APPROVAL OF MINUTES – January 11, 2012

Councilor Marnell made a motion, seconded by Councilor Marzola, to approve the minutes of January 11, 2011 as submitted by Town Clerk Edsall.

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

Nayes: 0

All in Favor.

Motion Carries.

3. APPROVAL OF ABSTRACT # 26 & # 2

Councilor Marzola made a motion, seconded by Councilor Marnell, to approve Abstract # 26 and #2 as submitted by Town Clerk Edsall.

TOWN OF MANLIUS

Fund Summary

Abstract # 26 + 2

<u>CODE</u>	<u>FUND</u>	<u>TOTALS</u>
A	General Fund Townwide	\$294,372.47
B	General Fund Town	\$ 1,510.38
DA	Highway Fund Townwide	\$ 39,411.69
DB	Highway Fund Town	\$ 26,660.70
SD3	Consolidated on Sewer District	\$ 7,320.46
SR1	Manlius Trash District	\$ 840.84
SR2	Manlius Res Brush District	\$ 164.02
SS1	Manlius Con Sewer District	\$ 12,659.88

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

Nays: 0

All in Favor.

Motion Carries.

4. BARBARA RIVETTE – TOWN HISTORIAN

Town Historian Barbara Rivette gave a brief presentation on the 2011 historical events. The Town Board thanked Barbara for all her hard work.

Discussion ensued regarding school presentations, bicentennial celebrations and the war of 1812.

5. PUBLIC AGENDA ITEMS

A copy of all of these requests are on file in the Town Clerks Office

A) Marcia Novek, Manlius, stated that:

- No input has been asked of the citizens on the Rules of Decorum and Public Comment. The Rules of Decorum as presented do not clearly identify the process to ensure that all citizens are treated fairly. Citizens come to the Board meetings to communicate in the oral way because they have not had success on the basic level.
- No final document was submitted as to what the final draft of the Rules of Decorum and Public Comment.

Mrs. Novek asked that the Rules of Decorum include things such as all-inclusive treatment and transparent process for everyone and clear process for citizens to voice their opinions. Mrs. Novek discussed the Local Government Handbook and citizens participating in government on the local level. Mrs. Novek stated that if the Town Board does not want certain issues in the Board meeting then they have to create avenues for citizens to get their problems resolved. Mrs. Novek cited the example of drainage issues and stated that the Town Board could have a special meeting and/or committee to discuss drainage issues.

B) Lou VanWie, Kirkville, stated that:

- He feels the proposed Rules of Decorum as presented are not very informative for the residents.
- He has had experience with almost every department in the Town of Manlius and he has been able to resolve issues with those departments without coming to the Town Board meeting.
- He does not understand why he cannot discuss the issues he has with the Codes Department. He has had several ongoing issues with abandoned properties and property maintenance codes that have not been addressed.
- Most of the code problems he has are on his side of Town and he feels that there is no district representation for the Kirkville area of the Town.
- The Town Board should give strong consideration to giving the public an opportunity to address issues that are happening and what is presented in the Town Board meetings.

C) Joe Novek, Manlius, stated that:

- No input by the citizens has been allowed on the currently presented Rules of Decorum and the current Rules of Decorum do not clearly identify the process to ensure that all citizens are treated fairly
- The newly adopted rules are openly discriminatory in their nature as they allow only the Supervisor to determine who is allowed to speak.
- The Town of Manlius has a history of failing to address issues and the only recourse has been to speak at town Board meetings.
- Councilor Marnell has gone out of his way to try and help residents and discussed several issues he believes are Town Business.
- The Town has already set a precedent to hear all of these issues and needs to continue to hear dissenting points of view that are allowed by law and encouraged.
- Both the Town and citizens could improve public relation by allowing the public forum.

6. PUBLIC COMMENT AT TOWN BOARD MEETINGS & RULES OF DECORUM

Supervisor Theobald discussed the history of the public comment period and the rules of decorum. Supervisor Theobald stated that he also speaks with the Town Offices regarding

issues facing the Kirkville side of Town. Supervisor Theobald stated that he has worked with citizens on issues such as drainage by having meetings related to a particular topic. Supervisor Theobald discussed examples of Town business and open communication.

Councilor Green stated that the updated Rules of Decorum are a good way to give everyone an opportunity to present in an organized fashion.

Supervisor Theobald stated that he would like to have the ability to open the floor to comment at the end of the meeting for the public to discuss topics from the meeting.

Council Marnell stated he would still want to open the floor at the end of the meeting if there are topics of interest to the public. Councilor Marnell also stated that he is uncomfortable with the wording “at his discretion” (#5) as the remainder of the document clearly indicates that.

Discussion ensued regarding the timing of community agenda requests.

The Town Board amended the Rules of Decorum to remove “ at his discretion” referring to the Supervisor’s approval of the Community Agenda requests and that requests shall be provided, by the close of business on the day prior to the meeting, to the Town Clerk’s Office.

Conversation ensued regarding the use of the word “inure”, the Supervisors role in the meeting and what constitutes information that has general applicability to the Town.

Councilor Loeffler stated that he would like the word “agrees” removed from “The Town hereby agrees to provide” (#2). The Town Board amended the statement to “The Town will provide” (#2).

Councilor Giordano made a motion, seconded by Councilor Marzola, to approve the revised Rules of Decorum as amended.

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

Nayes: 0

All in Favor.

Motion Carries.

7. CORRESPONDENCE/NEW BUSINESS

- A) Highway Superintendent – No New Business
- B) Planning & Development – No New Business
- C) Attorney – No New Business
- D) Town Clerk – No New Business
- E) Town Board

Councilor Loffler discussed Computel Consultant’s Services offer to review the Time Warner franchise fees.

Councilor Marzola gave a quick update on the RFP for legal and engineering services.

F) Supervisor

Supervisor Theobald discussed a recent meeting with representatives from the County Legislature, Councilor Schepp, Councilor Marnell, Councilor Giordano, other municipalities and city representatives. Supervisor Theobald stated that this meeting was effective and geared towards communications with the County and the city.

Captain Ackerman gave a brief explanation of the proposed agreement for physician services from Dr. Joslin from Upstate Medical University.

Discussion ensued regarding the proposal and past practices.

Councilor Marnell made a motion, seconded by Councilor Loeffler, to approve the agreement for physician services for the year 2012 from Dr. Joslin with Upstate Medical University at a rate of \$250.00 for the Police Department.

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

Nays: 0

All in Favor.

Motion Carries.

8. ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Councilor Marnell and seconded by Councilor Loeffler, the Board unanimously voted to adjourn regular session at 8:10pm

Respectfully Submitted by:

Allison Edsall
Town Clerk