MINUTES
TOWN BOARD
March 9, 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
Fran Marlowe, Manlius Police Chief
Ann Oot, Town Manager
Allison A. Edsall, Town Clerk
Rob Cushing, Highway Superintendent
Doug Miller, Engineer for the Town

Other persons attending: Ellen & Mike McGrew, Manlius. Hayleigh Gowans, Eagle Bulletin.

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.

Approval of Minutes – February 24, 2016

Councilor Marnell made a motion, seconded by Councilor Rossetti, to approve the minutes of February 24, 2016 as submitted by Town Clerk Edsall.

Ayes: Councilor Loeffler, Councilor Marnell, Councilor Marzola, Councilor Green, Councilor Rossetti.

Abstain: Supervisor Theobald, Councilor Giordano.

All in Favor. 5-0. Motion Carries.

Approval of Abstract # 5

Councilor Green made a motion, seconded by Councilor Loeffler, to approve Abstract # 5 as submitted by Town Clerk Edsall.

	TOWN OF MANLIUS	
	Fund Summary	
	Abstract # 5- 2016	
CODE	**FUND**	**TOTALS**
A	General Fund Townwide	$ 256,382.81
B	General Fund Town	$ 8,000.91
DA	Highway Fund Townwide	$ 115,953.52
DB	Highway Fund Town	$ 413.35
SL1	Overhead Lighting	$ 2,061.35
SL2	Underground Lighting	$ 2,189.25
SL3	Entry Lighting	$ 105.12
SL4	Garden Park Lighting	$ 617.65
SL5	Ratnaur Bridge Lighting	$ 3,656.87
SR1	Manlius Trash District	$ 129.72
SR2	Manlius Res Brush District	$ 166.19
SS1	Manlius Con Sewer District	$ 1,716.07

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

Nayes: 0 All in Favor. Motion Carries

Local Law 2016-4 Amending Chapter 155, Article "Special Regulations" – LED Illuminating and flashing signs

Attorney Frateschi reviewed the draft local law.

Supervisor Theobald stated that most of the LED signs in the Town of Manlius are not moving LED signs.

Councilor Giordano stated that some of the schools in the Town having moving LED signs. Councilor Marzola stated the signs in front of the schools are set back.

Councilor Marnell asked if there are any emergency LED signs in the Town of Manlius. Attorney Frateschi stated that emergency LED lights are allowed under the code.

Councilor Loeffler stated that the proposed law does not cover the villages and most of the LED signs in the Town are within the village boundaries. Councilor Loeffler stated that the Town also has policies governing certain corridors and the allowed signage along those corridors. Councilor Loeffler stated that he does not want to over govern and he would like to allow merchants to use LED signs that change once per day. Councilor Loeffler proposed adding the language "change scripts at a frequency no greater than once a day" to the draft local law. Councilor Loeffler stated he would rather wait and see if there is an enforcement problem with moving LED signs before the Town passes a law banning moving LED signs.

Town Engineer Miller stated that the Code Enforcement Officer has stated that he cannot enforce a law that allows the LED signs to change with any frequency.

Conversation ensued regarding how the request for clarification of the code, as it pertains to LED signs, was made.

Councilor Loeffler stated that the Route 5 corridor has regulations pertaining to signage lighting.

Councilor Green stated that the Town has done a great job regulating signage. Councilor Green stated that she wonders about the effectiveness of a changing LED sign.

Conversation ensued regarding the LED signs in the Villages. Conversation ensued regarding lighting that bleeds onto adjacent properties and how that lighting is regulated.

Original Motion – Local Law – 2016 (4)
Councilor Marzola made a motion, seconded by Councilor Giordano, to approve Local Law 2016-4 amending Chapter 155, Article "Special Regulations" – LED illuminating and flashing signs.

Amending Motion – Local Law – 2016 (4)
Councilor Loeffler requested discussion and an additional motion to amend Local Law 2016-4.

Councilor Loeffler made a motion, seconded by Councilor Marnell, to amend the proposed Local Law 2016-4 amending Chapter 155, Article "Special Regulations" – LED illuminating and flashing signs to include the language "the LED sign can change scripts at a frequency no greater than once every 10 minutes"

Discussion: Councilor Loeffler stated that the intent of adding the language that the scripts can change at a certain frequency allows a store owner to change the wording on their sign if they would like to.

Councilor Marzola stated that the amended language would allow a store owner to have a 4x6 sign that changed once a minute.

Councilor Marnell stated that these LED signs are becoming more popular, user friendly and can be used for advertising.

Supervisor Theobald stated that it would be troubling if there were suddenly 5 businesses with changing signs in one area.

Councilor Loeffler stated that, if people abuse the intent of the law, the Town can then regulate the changing LED signs. Councilor Loeffler stated that there is no evidence that people will abuse the intent of the LED sign law.

Councilor Rossetti stated that he would rather have non-changeable signs and if the Town received a request for a sign with a changing script the Town can consider that application.

Amending Motion – Local Law – 2016 (4)
A vote was taken on the amendment to the proposed Local Law 2016 (4).

Ayes: Councilor Loffler
Councilor Marnell

Nayes: Councilor Marzola
Councilor Rossetti
Councilor Green
Councilor Giordano
Supervisor Theobald

2 – 5. Motion Failed.

Original Motion – Local Law – 2016 (4)
A vote was taken on the original proposed Local Law 2016 (4).

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

Nayes: 0 All in Favor. Motion Carries.

Correspondence/New Business

A) Highway Superintendent

Highway Superintendent Cushing stated that he attended advocacy day in Albany. Highway Superintendent Cushing stated that he advocated for equal distribution of the funding available for the bridge, pavement and culvert replacement program.

B) Planning & Development – No New Business

Town Manager Oot stated the Town has a 6 month CD with Pathfinder Bank that is up for renewal. The 6 month renewal rate is .15%.

Councilor Marnell made a motion, seconded by Councilor Rossetti, to renew the CD with Pathfinder Bank for 6 months at a rate of .15%

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

Nayes: 0 All in Favor. Motion Carries

C) Attorney

Attorney Frateschi stated that a preliminary report on the computer breach in February has been prepared. Attorney Frateschi stated that so far it looks like the infected computer was sequestered in time and that there was no damage to the network. Also it does not appear that there was an information breach. The Board will be updated if there is any change.

D) Town Clerk

Town Clerk Edsall stated that the local laws that have been filed recently have to be renumbered according to the State due to a local law that was drafted and did not pass in 2015. Town Clerk Edsall stated that, in the future, local laws will not be numbered until the law is passed by the Town Board.

Local Law 2016-1
Councilor Marnell made a motion, seconded by Councilor Rossetti, to renumber (Local Law 2015-8) amending Chapter 139 entitled "Vehicles & Traffic" of the code of the Town of Manlius to install a stop sign at the Northeast corner of Stirrup Run at its intersection with Strawmount Trail as Local Law 2016-1.

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

Nayes: 0 All in Favor. Motion Carries

Local Law 2016-2
Councilor Marnell made a motion, seconded by Councilor Rossetti, to renumber (Local Law 2016-3) amending Chapter 134, Article III of the code of the Town of Manlius to increase the Alternative Veterans Tax Exemption as Local Law 2016-2.

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

Nayes: 0 All in Favor. Motion Carries

Local Law 2016-3
Councilor Marnell made a motion, seconded by Councilor Rossetti, to renumber (Local Law 2016-4) amending Chapter 134, Article X of the code of the Town of Manlius to increase the Cold War Veterans Tax Exemption as Local Law 2016-3.

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

Nayes: 0 All in Favor. Motion Carries

E) Police Chief

Chief Marlowe stated that he has received 3 quotes for a new phone system for the police department.

Windstream Communication - $19, 927.75
All Mode Communications - $13,085.00
Highbridge Communications – 6,720.84

Councilor Marnell made a motion, seconded by Councilor Giordano, to approve a contract Highbridge Communications at a cost of $6,720 and authorize the Supervisor to enter into an agreement for phone services.

Discussion: Councilor Rossetti asked if analysis was performed on the proposals to ensure the proposals were drafted for similar phone systems. Chief Marlowe stated that the proposals are for similar systems.

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

Nayes: 0 All in Favor. Motion Carries

F) Town Board

Councilor Green stated that the Deer Management Program is under way in the Village of Fayetteville has thus far been successful.

G) Supervisor

Councilor Marnell made a motion, seconded by Councilor Giordano, to accept the Supervisor's monthly report for December 2015 as presented.

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Loeffler made a motion, seconded by Councilor Marnell, to accept the Supervisor's monthly report for January 2016as presented.

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

Nayes: 0 All in Favor. Motion Carries.

Supervisor Theobald stated that Syracuse Industrial Development Agency did not pass a 10 year PILOT agreement for the Lifestyle Resort Community project. Supervisor Theobald thanked the Town Board for their efforts to prevent the PILOT agreement from passing.

Supervisor Theobald stated that Town Historian Barbara Rivette was recently awarded the Good Citizenship Bronze Medal from the New York State Sons of the American Revolution. The Town Board congratulated Town Historian Rivette for her bronze medal.

There being no further business to come before the Board, upon motion duly made by Councilor Rossetti and seconded by Councilor Loeffler the Board voted unanimously to adjourn regular session at 7:43PM.

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

Nayes: 0 All in favor. Motion Carries.

Respectfully Submitted by:

Allison Edsall
Town Clerk