

MINUTES
TOWN BOARD
July 27, 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
Absent	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	Deborah Witzel, Deputy Town Clerk
Fran Marlowe, Manlius Police Chief	Rob Cushing, Highway Superintendent
Ann Oot, Town Manager	Doug Miller, Engineer for the Town
Patrick Duffy, Town Assessor	

Other persons attending: Ellen & Mike McGrew, Manlius. Tim Macknik, Fayetteville. Pamela Bender, Fayetteville. Sue Boland, Fayetteville. Craig Polhamus, Fayetteville.

The Pledge of Allegiance

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

Approval of Minutes – July 13, 2016

Councilor Marnell made a motion, seconded by Councilor Giordano, to approve the minutes of July 13, 2016 as submitted by Deputy Town Clerk Witzel.

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

Abstain: Councilor Rossetti

5 to 1 Motion Carries

Approval of Abstract # 14

Councilor Loeffler made a motion, seconded by Councilor Green, to approve Abstract # 14 as submitted by Deputy Town Clerk Witzel.

	TOWN OF MANLIUS	
	Fund Summary	
	Abstract # 14 - 2016	
<u>CODE</u>	<u>FUND</u>	<u>TOTALS</u>
A	General Fund Townwide	\$ 51,477.07
B	General Fund Town	\$ 170.19
DA	Highway Fund Townwide	\$ 8,164.80
DB	Highway Fund Town	\$ 105,369.95
SR1	Manlius Trash District	\$ 88,254.84
SR2	Manlius Res Brush District	\$ 11,110.43
SS1	Manlius Con Sewer District	\$ 199.15

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

Nayes: 0

All in Favor.

Motion Carries

Hope for Heather Teal Ribbon Run

Supervisor Theobald stated the Hope for Heather Teal Ribbon Run will be held in the Village of Minoa, on September 24, 2016. Town Manager Oot stated she had contacted Captain Peckins, Town of Manlius Police about the police services that have been requested and there will be one modification in Article C 2, it will be 5 police officers for 3 hours at \$47.00 per Hour. Manager Oot stated that Gary Weeks of Hope for Heather has agreed to the change.

Councilor Marnell made a motion, seconded by Councilor Rossetti, to approve the agreement for the Hope for Heather Teal Ribbon Run and the Modification in Article C 2 of 5 police officers for 3 hours at \$47.00 per hour.

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

Nayes: 0

All in Favor.

Motion Carries

Agreement between the Town of Manlius Police and Fayetteville-Manlius Schools for SIRO (School Information Resource Officer)

Attorney Frateschi stated this agreement is the same as last year with the same officer, Officer Golden.

Councilor Marnell made a motion, seconded by Councilor Rossetti, to authorize the Town Supervisor to sign the SIRO agreement with Fayetteville-Manlius Schools for the 2016-2017 school year.

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

Nayes: 0

All in Favor.

Motion Carries

Correspondence/New Business

A) Community Agenda

Pamela Bender from the Historic Preservation Commission (HPC) of the Village of Fayetteville introduced members of the HPC, Chairman Craig Polhamus, Tim MacKnik and Sue Boland. Pamela Bender gave a presentation on behalf of the HPC concerning historic property exemptions for improvements. This tax exemption would offset the cost of maintaining a historic home. Well maintained historic homes enhance the area and help keep property values up. Historic homes are costly to maintain and that is why the HPC is asking the Town to consider adopting the exemption for improvements to certain historic properties (Article LV 159-33) overseen by the NYS Department of Taxation & Finance, Office of Real Property Tax Services, RP-444-a. Homes listed on the national register of historic homes have restrictions on maintenance to ensure historical integrity. Article LV 159-33 provides a mechanism for partial tax exemptions for improvements made on historic buildings to offset the cost of the improvements.

Supervisor Theobald stated that Town Assessor Patrick Duffy is in attendance and would be happy to answer any questions.

Councilor Rossetti asked if there are other historic districts in the town outside the village of Fayetteville.

Craig Polhamus responded no and explained that there are 44 homes in the historic district (in the Village of Fayetteville) which is an overlay district. Mr. Polhamus stated that there are historic buildings that are not in a historic district but on the National Registry.

Pamela Bender stated there are about 50 properties in the Village of Manlius that are on the National Register. At this time she is not sure who petitioned for the homes on the National Register, as the village does not have a governing body like the Village of Fayetteville HPC.

Councilor Rossetti asked if their reason for being before the Town Board was to ask the Town to adopt the exemption that the Village of Fayetteville did, only on a town wide basis. Pamela Bender answered yes.

Councilor Loeffler asked how the exemptions are decided for a house.

Pamela Bender stated that a building must be on the national registry or in a historic district to apply for the exemption.

1. People can apply to be put their home on the National Register individually.
2. Then petition the town or village to be a governing body facilitate enacting legislation to provide for the tax exemption.

Patrick Duffy explained the steps when a property owner applies to the historic commission to make approved updates and repairs and how the exemption is applied.

Councilor Marnell stated that the exemption would give the home owner an incentive to make improvements. Pamela Bender agreed with Councilor Marnell's statement.

Craig Polhamus stated the types of exemptions that could be allowed are outlined in the local law.

Attorney Frateschi asked if the Fayetteville HPC was formed by the Village Trustees and if the HPC is the body you would apply to request an exemption. Mr. Polhamus answered yes, you would apply to the HPC, and the members were appointed by the Village Trustees.

Craig Polhamus stated that without a historic preservation commission in the Town of Manlius enforcement would revert to the State Historic Preservation Office (S.H.P.O.).

Attorney Frateschi confirmed that if the Town of Manlius had a Historic Preservation Commission and a house was listed on the National Register and the Town of Manlius passes the law for the exemption, then you would go to SHPO for their approval on the exemption.

Pamela Bender will get back to board members with answers to their questions about the State Law regarding the tax exemption for improvements.

Supervisor Theobald stated the board will continue to review this issue.

Set Date – Public Hearing – Local Law – Amending Chapter 72 of the Code of the Town of Manlius

Engineer Miller stated the new updated FEMA maps are now final and in the Planning & Development office. Starting in November 2016, the new maps will be the standard and therefore the Town will have to update the regulations as they apply to the flood insurance program as outlined in Chapter 72 of the Code.

Councilor Loeffler made a motion, seconded by Councilor Marnell, to hold a public hearing on August 24, 2016 at 7:05pm for Local Law Amending Chapter 72 of the Code of the Town of Manlius.

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

Nayes: 0

All in Favor.

Motion Carries

A) Highway Superintendent

Highway Superintendent Cushing stated he has finalized the bid specification for a pick-up truck that is on the vehicle replacement schedule. Highway Superintendent Cushing asked for approval to purchase the pick-up truck through the Onondaga County Bid for \$37,596.11 through VanBortel Ford, Rochester, NY.

Councilor Giordano made a motion, seconded by Councilor Rossetti, to approve the purchase of a pick-up truck for the purchase price of \$37,596.11 from VanBortel Ford as budgeted for in the 2016 budget.

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

Nayes: 0 All in Favor. Motion Carries

B) Planning & Development

Engineer for the Town, Doug Miller, read aloud a memo from Code Compliance Office David Weber regarding the property at 5861 Minoa Rd. not being in compliance with the property maintenance code.

Councilor Marnell made a motion, seconded by Councilor Rossetti, to authorize the Town to hire a contractor to mow the grass at 5861 Minoa Rd. on a recurring basis if needed, and put the cost of this service on the property's Town tax bill.

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

Nayes: 0 All in Favor. Motion Carries

C) Attorney Frateschi stated the board will need to have executive session to discuss a potential Highway Litigation matter.

D) Town Clerk

Deputy Town Clerk Witzel reviewed a fireworks permit application submitted by the Village of Fayetteville for a display to be held Wellwood Middle School on the baseball diamond on September 17, 2016.

Councilor Marnell made a motion, seconded by Councilor Giordano, to authorize the Town Clerk to issue a fireworks permit to the Village of Fayetteville for September 17, 2016.

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

Nayes: 0 All in Favor. Motion Carries

Deputy Town Clerk Witzel reviewed a fireworks permit application submitted by the Village of Minoa for a display to be held at Action Top Soil, 6320 Costello Parkway on September 24, 2016.

Councilor Loeffler made a motion, seconded by Councilor Marnell, to authorize the Town Clerk to issue a fireworks permit to the Village of Minoa for September 17, 2016.

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

Nayes: 0 All in Favor. Motion Carries

E) Police Chief – No New Business

F) Town Board

Councilor Marnell would like to discuss a vendor in executive session

Councilor Green asked how people liked the Town of Manlius recreation department's production of "The Little Mermaid". The response was very positive everyone truly enjoyed the show.

G) Supervisor

Supervisor Theobald received a letter from the Town of DeWitt requesting the Town of Manlius sign a letter of support for an application being submitted through NYS (CFA) Consolidated Funding Application for DeWitt a study on the feasibility of increasing the wastewater treatment capacity in eastern Onondaga County.

Councilor Rossetti made a motion, seconded by Councilor Green, to authorize Supervisor Theobald to sign a letter of support for the Consolidated Funding Application by the Town of DeWitt.

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

Nayes: 0

All in favor.

Motion Carries.

Supervisor Theobald stated that Rob Hiltbrand Regional Director of Green Lakes State Park has requested a letter of support for funding through Consolidated Funding Application (CFA) program. Green Lakes project partner OSI (Open Space Institute), will be the applicant and seeking a grant of \$500,000 through the Environmental Protection Fund Grant Municipal Grants Program to help rehabilitate the historic boathouse at Green Lakes State Park to serve as an Environmental Education Center.

Councilor Rossetti made a motion, seconded by Councilor Loeffler, to authorize Supervisor Theobald to sign a letter of support for Green Lakes and Open Space Institute for the Consolidated Funding Application.

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

Nayes: 0

All in favor.

Motion Carries.

Supervisor Theobald stated that the traffic light that had been request for the intersection of Route 290 & Minoa Rd. has been denied by New York State DOT.

Supervisor Theobald stated the New York State DOT did approve the speed limit reduction on S. Eagle Village Rd. & Oran Station Rd. to Route 92 from 55mph to 45mph. The Town of Pompey and the Town of Manlius will install the new speed limit signs.

Councilor Rossetti made a motion, seconded by Councilor Marnell, to approve the speed reduction on S. Eagle Village Rd. & Oran Station Rd. to Route 92 from 55mph to 45mph.

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

Nayes: 0 All in favor. Motion Carries.

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

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

Nayes: 0 All in favor. Motion Carries.

There being no further business to come before the Board, upon motion duly made by Councilor Marnell and seconded by Councilor Rossetti the Board voted unanimously to adjourn regular session at 8:20PM to enter into executive session to discuss potential, proposed, pending or current litigation .

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

Nayes: 0 All in favor. Motion Carries.

Respectfully Submitted by:

Deborah Witzel
Deputy Town Clerk

EXECUTIVE SESSION MEETING MINUTES

**Executive Session
July 27, 2016**

After discussion regarding a matter related to the physical plant at the Highway Garage, the Board made the following motion:

RESOLVED, that the Town retain Miller Engineers to examine and report back on the certain facilities at the Highway Garage and to authorize the Supervisor to enter into the agreement presented to the Board.

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

The Town Board re-entered Regular Session at 8:20 p.m.

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 adjourn the Regular Session at 8:21p.m.

Submitted by:

Tim Frateschi
Attorney for the Town