

MINUTES
TOWN BOARD
September 28, 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:

David M. Marnell, Sr., Councilor
Nicholas J. Marzola, Councilor
Vincent Giordano, Councilor
Karen Green, Councilor
Richard Rossetti, Councilor
John R. Loeffler, Councilor

Absent:

The following Town Officers were present:

Tim Frateschi, Attorney for the Town	Allison A. Weber, 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. Lou VanWie, Kirkville. Ian Hunter, Syracuse. Dave Barnwell, Manlius.

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 – September 14, 2016

Councilor Marzola made a motion, seconded by Councilor Giordano, to approve the minutes of September 14, 2016 as submitted by Town Clerk Weber.

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

Nays: 0

All in Favor.

Motion Carries.

Approval of Abstract # 18

Councilor Marzola made a motion, seconded by Councilor Giordano, to approve Abstract # 18 as submitted by Town Clerk Weber.

	TOWN OF MANLIUS	
	Fund Summary	
	Abstract # 18 - 2016	
<u>CODE</u>	<u>FUND</u>	<u>TOTALS</u>
A	General Fund Townwide	\$ 21,878.59
B	General Fund Town	\$ 375.86
DA	Highway Fund Townwide	\$ 30,143.89
DB	Highway Fund Town	\$ 60,345.37
HA	Landfill Capital Fund	\$ 1,367.00
SL1	Overhead Lighting	\$ 1,782.12
SL2	Underground Lighting	\$ 2,091.80
SL3	Entry Lighting	\$ 99.30
SL4	Garden Park Lighting	\$ 606.94
SL5	Ratnaur Bridge Lighting	\$ 3,223.54
SR1	Manlius Trash District	\$ 88,192.74
SR2	Manlius Res Brush District	\$ 11,048.33
SS1	Manlius Con Sewer District	\$ 1,360.41
SW2	Manlius Con Water District	27,810.48
W80	Schepp Water District	\$ 199.54
W90	Watervale Water District	\$ 31.06

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

Nayes: 0

All in Favor.

Motion Carries.

Presentation of Supervisor's Tentative 2017 Budget to Town Clerk

Supervisor Theobald presented the 2017 tentative budget to Town Clerk Weber.

Public Hearing – Local Law 2016 - 6 to Override the Property Tax Cap for Fiscal Year 2017

Attorney Frateschi reviewed the draft local law to override the property tax cap for 2017. Attorney Frateschi stated that the property tax cap is less than .7% and the Town Board is considering this local law out of an abundance of caution.

Councilor Marnell made a motion, seconded by Councilor Green, to waive the reading of the public notice for the public hearing in the matter of Local Law 2016-6 to Override the Property tax for the Fiscal Year 2017.

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

Nayes: 0 All in Favor.

Councilor Marnell made a motion, seconded by Councilor Green, to open the public hearing at 7:07pm in the matter of Local Law 2016-6 to Override the Property Tax for the Fiscal Year 2017.

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

Nayes: 0 All in Favor. Motion Carries

There being no comment from the public Councilor Rossetti made a motion, seconded by Councilor Marnell, to close the public hearing at 7:07pm in the matter of Local Law 2016-6 to Override the Property Tax for the Fiscal Year 2017.

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

Councilor Marzola discussed the fines and penalties that would be imposed on the Town if the Town did not override the tax cap and exceeded the .07% tax cap.

Councilor Giordano asked if there would be any ramifications to passing a law to override the tax cap and then rescinding that same law. Attorney Frateschi said that are no ramifications to rescinding a local law to override the property tax cap.

Councilor Marnell made a motion, seconded by Councilor Green, to adopt Local Law 2016-6 to Override the Property Tax for the Fiscal Year 2017 as outlined in the resolution prepared by the Attorney for the Town.

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

Nayes: 0 All in Favor. Motion Carries

Public Hearing – Local Law 2016 -7 Amending Chapter 59 of the Code of the Town of Manlius to Include Enforcement of the International Building Code.

Attorney Frateschi reviewed the draft local law to amend chapter 59 of the Town of Manlius Code to include enforcement of the International Building Code (IBC). Attorney Frateschi stated that the updated International Building Code will go into effect on October 4, 2016 and this draft law will allow for the enforcement of the IBC.

Councilor Marnell made a motion, seconded by Councilor Green, to waive the reading of the public notice for the public hearing in the matter of Local Law 2016-7 to amend chapter 59 of the Town of Manlius Code to include enforcement of the International Building Code.

Ayes: Supervisor Theobald, 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 open the public hearing at 7:12 pm in the matter of Local Law 2016-7 to amend chapter 59 of the Town of Manlius Code to include enforcement of the International Building Code.

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

Nayes: 0 All in Favor. Motion Carries

Lou VanWie, Kirkville, stated that residents experience what happens in their own backyard. Mr. VanWie stated that the Town does not need to enforce things that are relevant in other parts of the country. Mr. VanWie stated that he believes that the State is muddying things and he sees nothing wrong with what is already in place. Mr. VanWie stated that he does not believe this change is a good thing.

Discussion ensued regarding the New York State Supplement and the changes to the International Building Code.

There being no further comment from the public Councilor Rossetti made a motion, seconded by Councilor Marnell, to close the public hearing at 7:18 pm in the matter of Local Law 2016-7 to amend chapter 59 of the Town of Manlius Code to include enforcement of the International Building Code.

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

Discussion ensued regarding the New York State Building Code and the Fire Code.

Councilor Marnell made a motion, seconded by Councilor Green, to adopt Local Law 2016-7 to amend chapter 59 of the Town of Manlius Code to include enforcement of the International Building Code as outlined in the resolution prepared by the Attorney for the Town.

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

Nayes: 0

All in Favor.

Motion Carries

Set Date - Public Hearing – Fayetteville Fire Protection Contract 2017

Councilor Marnell made a motion, seconded by Councilor Rossetti, to set a date for a public hearing on October 26th, 2016 at 7:10 pm in the matter of the 2017 Fayetteville Fire Protection Contract.

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

Nayes: 0

All in Favor.

Motion Carries

Set Date – Public Hearing – Manlius Fire Protection Contract 2017

Councilor Green made a motion, seconded by Councilor Giordano, to set a date for a public hearing on October 26th, 2016 at 7:15 pm in the matter of the 2017 Manlius Fire Protection Contract.

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

Nayes: 0

All in Favor.

Motion Carries

Set Date – Public Hearing – Minoa Fire Protection Contract 2017

Councilor Green made a motion, seconded by Councilor Marzola, to set a date for a public hearing on October 26th, 2016 at 7:20 pm in the matter of the 2017 Minoa Fire Protection Contract.

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

Nayes: 0

All in Favor.

Motion Carries

GIS Program – Letter of Understanding – Amendment #2

Councilor Marnell made a motion, seconded by Councilor Marzola, to authorize the Supervisor to sign the Letter of Understanding – Amendment #2 with the Onondaga

Councilor Marnell made a motion, seconded by Councilor Marzola, to issue a public assembly permit to the Sisters of Alverna Heights for the Creation Celebration to be held on October 2, 2016 at 7770 Green Lakes Road, Fayetteville NY.

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

Nayes: 0

All in Favor.

Motion Carries

E) Police Chief

Chief Marlowe stated that Officer Gallup was recently activated to serve in New York City. Chief Marlowe has indicated that it has been customary in the past that the Town authorizes the continuation of wages while the Officer is activated in an amount that when added to his military pay would equal the salary he receives as a Town Employee.

Councilor Marnell made a motion, seconded by Councilor Rossetti, to authorize the Town to pay Officer Gallup town wages in an amount that when added to his military pay would equal the salary he receives as a Town Employee during the time period he was activated to New York City.

F) Town Board

Councilor Marnell gave a brief update on the Fayetteville Library meetings. Councilor Marnell stated that more meetings have been scheduled.

G) Supervisor

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 7:27PM.

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

Nayes: 0

All in favor.

Motion Carries.

Respectfully Submitted by:

Allison A. Weber,
Town Clerk