

MINUTES
TOWN BOARD
September 23, 2015

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. Anthony D'Elia, Syracuse. Lou VanWie, Kirkville. Hayleigh Gowans, Eagle Bulletin. Ashley Hatfield, Pittsford. Craig Both, Connecticut. Sara Bollinger, Fayetteville. Sarah Whaley, Minoa. Ian Hunter, Syracuse.

The Pledge of Allegiance

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

Approval of Minutes – September 9, 2015

Councilor Marnell made a motion, seconded by Councilor Rossetti, to approve the minutes of September 9, 2015 as submitted by Town Clerk Edsall.

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

Nays: 0

Abstain: Councilor Loeffler

Motion Carries.

Approval of Abstract # 18

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

Fund Summary		
Abstract # 18 - 2015		
<u>CODE</u>	<u>FUND</u>	<u>TOTALS</u>
A	General Fund Townwide	\$ 35,103.77
B	General Fund Town	\$ 215.42
DA	Highway Fund Townwide	\$ 10,111.81
DB	Highway Fund Town	\$ 80,080.07
SW2	Manlius Con Water District	\$ 22,738.62
SR2	Manlius Res Brush District	\$ 9,060.15
SS1	Manlius Con Sewer District	\$ 351.98
W10	Eagle Village Water District	997.68
W20	Jas N Manlius Water District	\$ 61.12
W40	Minoa Road Water District	\$ 31.06
W50	Buttonvale Water District	\$ 598.61
W60	Milnerfield Water District	\$ 1,527.58
W70	Mycenae Water District	\$ 1,483.34
W80	Schepp Water District	\$ 199.54
W90	Watervale Water District	\$ 31.06

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

Nayes: 0

All in Favor.

Motion Carries

Presentation of Supervisor's Tentative 2016 Budget to Town Clerk

Supervisor Theobald presented the 2016 Tentative Town of Manlius Budget to Town Clerk Edsall.

Solar Array Farm – Hafner's Farm – Green Lakes Rd

Anthony D'Elia, Attorney for the Applicant, gave a brief presentation on the proposed project.

Craig Both, Sun Edison, gave a brief presentation on the proposed solar array installations on the west side and the east side of Green Lakes Road near Hafner's Tree Farm. Mr. Both stated that both sites will receive net metering credits at a certain value because an interconnection application was submitted to National Grid by June 1st. Mr. Both stated that the net metering credit value makes these projects work from an economic standpoint.

Councilor Marzola asked the Applicant if the construction of both locations was required to proceed with the project. Mr. Both stated that the sites are separate and are at different stages of development.

Discussion ensued regarding how the utilities produced at the locations would be delivered and sold.

Councilor Marzola asked if there was any buffering planned for the solar array installations. Mr. Both stated that he will work with the Town to develop an appropriate buffer.

Supervisor Theobald asked if there will be any noise from the installations. Mr. Both stated that there is a very low hum that is produced and that hum cannot be heard by adjacent properties.

Councilor Marnell asked if there are any tax exemptions associated with these properties? Mr. Both stated that there are not tax exemptions but he would like to discuss the agricultural exemptions with the Town Assessor.

Attorney Frateschi stated that the Town will have to discuss how the property will be assessed.

Councilor Green asked what the longevity of these types of solar projects are? Mr. Both stated that the installations are good for 30 years but the technology will most likely become outdated before the 30 years have passed.

Discussion ensued regarding the zoning classification of the property and the allowed uses in the RA (Restricted Agricultural) zoning classification.

Councilor Rossetti asked if the applicant has ever constructed a solar array and then sold the installation to another party? Mr. Both stated that he does work with a subsidiary Terra Form.

Councilor Rossetti asked how many acres are actually covered by the solar panels? Mr. Both stated that each installation would have 10 acres of solar panels.

Conversation ensued regarding the proposed buffering and the regular maintenance of the solar panels.

Mr. Both reviewed the assembly process for the proposed solar arrays. Mr. Both stated that the installation of the solar arrays will take approximately 3 months.

Councilor Rossetti asked if there are any potential dangers, created by the solar array, to nearby residents? Mr. Both discussed the security precautions that will be implemented and stated that there is no environmental impact.

The Town Board requested that the applicant meet with the nearby residents to discuss the proposed solar array.

Conversation ensued regarding the process that was used to select the proposed locations. Mr. Both discussed the different solar array locations that have been constructed by Sun Edison around the world. Mr. Both stated that solar array installations are governed by the electrical code.

Attorney Frateschi stated that the applicant would have regulations outlined in the special use permit as it relates to the installation and operation of the solar array farm.

Councilor Loeffler asked why the company would not just construct 1 large solar array installation as opposed to the proposed 2 smaller arrays. Mr. Both stated that the installations cannot be any larger than the proposed array in order for the company to receive the net metering credit.

Councilor Rossetti asked the applicant what the cost of dismantling and disposing of a solar array would be? Mr. Both stated that the company has an agreement with the land owner, as part of the lease, to decommission the installation if that is what both parties wish to do.

Attorney Frateschi stated that the Town would require a demolition bond as a condition of the special permit.

Mr. Both discussed the community solar aspect of a solar array farm.

Attorney Frateschi stated that a solar array installation is an allowed use in the RA zoning classification with a special permit.

Supervisor Theobald stated that he would like the applicants to meet with the neighbors before the project moves forward.

The Town Board tabled the matter to allow the applicant to meet with the adjacent neighbors to the proposed solar array installations.

Town Hall Window Bid

The bid opening for the Window Replacement Project at the Manlius Town Hall was held on Tuesday September 8, 2015. Bids were received as follows:

- | | |
|---|--------------|
| • N.E.P. Glass Co Ltd; Little Falls, NY | \$198,600.00 |
| • View-Tech; East Syracuse, NY | \$222,800.00 |
| • B.R. Johnson, Inc.; East Syracuse, NY | \$224,481.00 |

Supervisor Theobald stated that the Town will receive grant monies from Senator Defrancisco to help pay for the window replacement project at Town Hall. Supervisor Theobald stated that the Town should obtain a (Bond Anticipation Note) BAN for the funds required to begin the project.

Town Manager Oot stated that M&T Bank offered a rate of 2.12% for a 1 year BAN and Pathfinder Bank offered a rate of 1.75% on a 1 year BAN.

Councilor Giordano made a motion, seconded by Councilor Marnell to authorize the preparation of a BAN (Bond Anticipation Note) resolution for the Town Hall Window Replacement Project in the amount of \$225,000 and to award the BAN to Pathfinder Bank.

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

Nayes: 0

All in Favor.

Motion Carries

*The vote to award the window replacement project for Town Hall occurred later in the meeting.

Brush Collection Bid

The Town of Manlius held a bid opening on September 16, 2015 at 11:00 AM. The bid results are as follows:

Last Chance Recycling – No Bid
Waste Management – No Bid
Syracuse Haulers - \$28.00 per unit

Attorney Frateschi reviewed the resolution that was prepared for the collection of brush in the Town of Manlius.

Councilor Green made a motion, seconded by Councilor Giordano, to award the brush contract to Syracuse Haulers for a period of one year commencing January 1, 2016 as outlined in the resolution prepared by the Attorney for the Town.

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

Nayes: 0 All in Favor. Motion Carries

Town Justice Audit Report 2014

Councilor Marnell stated that Bowers and Company CPA's, PLLC completed the annual Justice Court Audit in June. Councilor Marnell stated that he also tested the different items outlined in the audit.

Councilor Marnell made a motion, seconded by Councilor Marzola, to accept the Justice Court Audit for the fiscal year 2014 as prepared by Bowers and Company CPS's, PLLC and forward same to the New York State Office of Court Administration.

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

Nayes: 0 All in Favor. Motion Carries

Window Replacement Project – Town Hall – Award

Councilor Marzola made a motion, seconded by Councilor Loeffler, to award the contract for the Window Replacement Project for Manlius Town Hall to the low bidder, NEP Glass at a bid of \$198,600.

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

Nayes: 0 All in Favor. Motion Carries

CNY Stormwater Coalition Annual Resolution

Town Engineer Miller stated that the annual storm water agreement with the Central New York Regional Planning & Development Board is due for renewal. Town Engineer Miller stated the agreement is the same as the prior year.

Councilor Loeffler made a motion, seconded by Councilor Giordano, to authorize the Supervisor to enter into the annual Stormwater Agreement with the Central New York Regional Planning & Development Board MS4 Stormwater Compliance Assistance Program in an amount not to exceed \$3,600.

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

Nayes: 0 All in Favor. Motion Carries

JCAP Grant

Councilor Rossetti made a motion, seconded by Councilor Marnell to approve the resolution to authorize the Justice Court to apply for a grant from the Justice Court Assistance Program for audio/video cameras in the court area at no cost to the Town.

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 – No New Business

B) Planning & Development – No New Business

C) Attorney – No New Business

D) Town Clerk – No New Business

E) Police Chief

Chief Marlowe stated there will be a “Drug Take Back Day” at the Town of Manlius Police Department, 1 Arkie Albanese Ave. Manlius, on Saturday, September 26, 2015 from 9am to 2pm.

F) Town Board

Councilor Green submitted a copy of the Deer Management Report that was prepared by the Village of Fayetteville. Councilor Green stated that the Village of Fayetteville will be holding a public information meeting on the Deer Management Report. Councilor Green stated that the Village of Fayetteville Board requested that the Town Board review the Deer Management Report and provide feedback.

Discussion ensued regarding the proposed Deer Management Report and how the Village of Fayetteville will implement deer population management.

G) Supervisor

Supervisor Theobald stated that he will be joining the Onondaga County Veteran Advisory Committee.

Councilor Marzola made a motion, seconded by Councilor Marnell, to accept the Supervisor's monthly report for August 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.

There being no further business to come before the Board, upon motion duly made by Councilor Marnell and seconded by Councilor Green, the Board voted unanimously to adjourn regular session at 8:23 pm to enter into executive session to discuss potential litigation with the Assessor's Office.

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

EXECUTIVE SESSION MEETING MINUTES

**Executive Session
September 23, 2015**

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

The Town Board re-entered Regular Session at 8:50 p.m.

There being no further business to come before the Board, upon motion duly made by Councilor Giordano and seconded by Councilor Marnell, the Board unanimously voted to adjourn the Regular Session at 8:50 p.m.

Submitted by:

Tim Frateschi
Attorney for the Town