

MINUTES
TOWN BOARD
January 21, 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

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	

Other persons attending:

Doug Miller, Engineer for the Town, Ellen & Mike McGrew, Manlius. Jason Emerson, Eagle Bulletin. Greg Sgromo, Dunn and Sgromo Engineering

The Pledge of Allegiance

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

A moment of silence was held for Marguerite (Peggy) Samar. Mrs. Samar retired from the Town of Manlius Assessors office in 1987 after 20 years of service to the Town of Manlius residents.

Approval of Minutes – Organizational 1/7/15 & Regular Meeting 1/7/15

Councilor Marnell made a motion, seconded by Councilor Giordano, to approve the organizational minutes of January 7, 2015 as submitted by Town Clerk Edsall.

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

Abstained: Councilor Loeffler

4- 0. All in Favor. Motion Carries.

Councilor Giordano made a motion, seconded by Councilor Green, to approve the amended minutes of January 7, 2015 as submitted by Town Clerk Edsall.

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

Abstained: Councilor Loeffler

4-0. All in Favor Motion Carries.

Approval of Abstract # 26 (2014) & # 2 (2015)

Councilor Marzola made a motion seconded by Councilor Marnell, to approve Abstract # 26 (2014) as submitted by Town Clerk Edsall.

	TOWN OF MANLIUS	
	Fund Summary	
	Abstract # 26 - 2014	
<u>CODE</u>	<u>FUND</u>	<u>TOTALS</u>
A	General Fund Townwide	\$37,946.15
B	General Fund Town	\$ 3,798.56
DA	Highway Fund Townwide	\$ 2,160.81
SR2	Manlius Res Brush District	\$ 9,017.15
SS1	Manlius Con Sewer District	\$ 4,500.00
TA2	Trust & Agency - Other	2,100.00

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Marzola made a motion seconded by Councilor Loeffler, to approve Abstract # 2 (2015) as submitted by Town Clerk Edsall.

	TOWN OF MANLIUS	
	Fund Summary	
	Abstract # 2 - 2015	
<u>CODE</u>	<u>FUND</u>	<u>TOTALS</u>
A	General Fund Townwide	\$71,622.91
B	General Fund Town	\$ 300.00
DA	Highway Fund Townwide	\$38,804.81
SS1	Manlius Con Sewer District	\$ 392.30
HA	Landfill Capital Fund	\$ 1,843.00

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

Nayes: 0 All in Favor. Motion Carries.

7:05pm - Public Hearing - Special Permit – Robert A. Dewey - 6294 Costello Parkway, Tax Map # 070.-01-14.0, to construct a 16’ X 26’ garage for a residential property in an Industrial Zone.

Attorney Frateschi stated that the applicant (Robert Dewey) would like to construct a residential garage on a parcel with an Industrial Zoning Classification. Attorney Frateschi stated that the construction of a residential garage in an Industrial Zone requires a special permit. The Town of Manlius Planning Board reviewed the special permit application on 01-12-2015 and gave a positive recommendation.

Councilor Marnell made a motion, seconded by Councilor Green, to waive the reading of the public hearing notice, calling for a public hearing in the matter of the special permit application by Robert A. Dewey - 6294 Costello Parkway, Tax Map # 070.-01-14.0, to construct a 16’ X 26’ garage for a residential property in an Industrial Zone.

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Marnell made a motion, seconded by Councilor Giordano, to open the public hearing at 7:05pm in the matter of the special permit application by Robert A. Dewey - 6294 Costello Parkway, Tax Map # 070.-01-14.0, to construct a 16’ X 26’ garage for a residential property in an Industrial Zone.

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

Nayes: 0 All in Favor. Motion Carries.

Robert Dewey, Applicant, stated that he would like to construct a garage for residential use only.

With there being no further comments from the public, Councilor Marnell made a motion, seconded by Councilor Green, to close the public hearing at 7:06pm in the matter of the special permit application by Robert A. Dewey - 6294 Costello Parkway, Tax Map # 070.-01-14.0, to construct a 16' X 26' garage for a residential property in an Industrial Zone.

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

Nayes: 0 All in Favor. Motion Carries.

Attorney Frateschi reviewed SEQR and stated that this special permit will have no environmental impact.

Councilman Marnell made a motion, seconded by Councilman Marzola, declaring the Town of Manlius the lead agency and issuing a negative declaration for SEQR purposes in the matter of the special permit application by Robert A. Dewey - 6294 Costello Parkway, Tax Map # 070.-01-14.0, to construct a 16' X 26' garage for a residential property in an Industrial Zone.

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Giordano made a motion seconded by Councilor Marzola, to approve Robert Dewey's Special Permit application to construct a 16' X 26' garage for residential use located at 6294 Costello Parkway, Tax Map # 070.-01-14.0 for a period of 7 years, to expire January 2020.

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

Nayes: 0 All in Favor. Motion Carries.

Special Permit Renewal Process – Residential Construction in an Industrial Zone

Attorney Frateschi discussed the renewal process for a special permit. Town Clerk Edsall stated that there are other special permit renewal applications renewals for residential construction in an Industrial Zone that will be coming before the Town Board.

Attorney Frateschi stated that special permit renewal applications of this nature (residential construction in an Industrial zone), do not require a lot of review as long as the applicant is not adding to or modifying the existing special permit.

Town Clerk Edsall requested that the Town Board consider waiving the \$100.00 application fee for residents requesting special permit renewals for residential construction in an Industrial Zone as they require very little to complete the process.

Attorney Frateschi recommended that the Town Board consider waiving the application fee on a case by case basis by way of resolution at a Town Board Meeting. Attorney Frateschi stated that zone changes cannot take place without a public hearing.

The Town Board tabled the matter for review of each special permit renewal application on a case by case basis.

Shining Stars Daycare – Zone Change Request – John & Stella Penizotto – Enders Rd. Tax Map #'s 114.-01-09.0 thru 114.-01-13.0 and 114.-01-31.0 requesting from RM (Residential Multiple Use)-front/RA (Restricted Agricultural)-rear to CB (Commercial District B)-front/RM (Residential Multiple Use)-rear

Greg Sgromo, Dunn and Sgromo Engineers, made a brief presentation on the zone change request application made by John & Stella Penizotto to change the zoning of the parcel located at Enders Rd. The applicants would like to change the zoning from (RM)

Residential Multi-Use and (RA) Restricted Agricultural to (CB) Commercial B in the front of the parcel and (RM) Residential Multi Use in the rear of the parcel.

Mr. Sgromo stated that the applicants own a 4.3 acre parcel on Enders Road and operate a daycare at that location. Mr. Sgromo stated that the applicants would like to relocate the current building to the rear of the property. The relocation of the building would require a zone change because the use is outside the current zoning classification.

Mr. Sgromo stated that the applicant would be presenting information on proposed uses for the remaining undeveloped property if the applicant had that information at this time.

Councilor Loeffler stated that he is concerned about this zone change. Councilor Loeffler discussed the Route 92 Corridor study and the types of zoning classifications that fit with the character outlined in that corridor study.

Councilor Giordano discussed his concerns regarding the current traffic along the Rte. 92 Corridor. Councilor Giordano stated that the main intersection located in that corridor is already very congested during the school year with traffic from the schools.

Attorney Frateschi discussed the zone change request process. Attorney Frateschi stated that, in the past, the Town Board has sent zone changes to the Planning Board for recommendation. Attorney Frateschi stated that the Town Board should complete its own analysis of this application before the applicant incurs the cost of presenting to the Planning Board.

Councilman Marzola asked about the number of children enrolled at the daycare and if those numbers would increase? Mrs. Penizotto stated that her daycare currently has an enrollment of 109 children but would expand to 135 school age children with the redevelopment.

Discussion ensued regarding the Manlius Fire Station project that is proposed nearby within that corridor.

Councilman Loeffler discussed the history of development along the Route 92 Corridor

Supervisor Theobald stated that the Town Board must review this application further before sending the application to the Planning Board. The Town Board tabled the matter for further consideration.

OCRRA Flow Control - Contract

Attorney Frateschi stated that OCCRA (Onondaga Resource Recovery Agency) has presented the Town of Manlius with a new flow control contract. This contract covers all of the trash and recycling collected within the Town of Manlius and taken to the OCCRA facility. Attorney Frateschi stated that he has reviewed the contract and recommends approval.

Councilor Giordano made a motion, seconded by Councilor Loeffler, to authorize the Town Supervisor to sign the 2015 flow control contract with OCCRA.

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

Nayes: 0

All in Favor.

Motion Carries.

Correspondence/New Business

A) Highway Superintendent

Superintendent Cushing stated that the purchase of the new plow truck is complete and he requests Town Board authorization to purchase a spreader for the new plow truck as budgeted for in 2015. Superintendent Cushing requested Town Board authorization to purchase a mechanical sweeper as budgeted for in 2015.

Councilor Marzola made a motion, seconded by Councilor Marnell, to authorize Superintendent Cushing to purchase a spreader off of the Onondaga County purchasing contract at a cost of \$9,931.00 as budgeted for in 2015.

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Marzola made a motion, seconded by Councilor Marnell, to authorize Superintendent Cushing to purchase, from the Onondaga County purchasing contract, a 2014 Schwarze M6 Avalanche Mechanical Sweeper at a cost of \$222,593 as budgeted for in 2015.

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

Nayes: 0 All in Favor. Motion Carries.

Superintendent Cushing stated that he would like to send the retired sweeper to auction.

Councilor Marnell made a motion, seconded by Councilor Giordano, to declare the retired sweeper surplus equipment and authorize Superintendent Cushing to auction the retired sweeper.

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

Nayes: 0 All in Favor. Motion Carries.

B) Planning & Development – No New Business

C) Attorney – No New Business

D) Town Clerk – No New Business

E) Police Chief

Chief Marlowe stated that he has provided the Town Board with a copy of the nationally distributed Police Chief Magazine. The Town of Manlius Police department was featured in the magazine for its outstanding pedestrian and bicycle safety program.

F) Town Board

Town Manager Oot stated that the Watervale Water District BAN is due for renewal. Town Manager Oot requested rates from banks and only two banks responded. M&T Bank bid a rate of 2.76% and Pathfinder Bank bid a rate of 2.19%. The Watervale BAN has a balance of \$10,574 and will be renewed for 1 year period.

Councilor Marzola made a motion, seconded by Councilor Marnell to renew the Watervale Water District BAN with Pathfinder Bank at a rate of 2.19% in the amount of \$10,574 for a period of one year.

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

Nayes: 0 All in favor. Motion Carries.

Councilor Green congratulated the Town of Manlius Police Department for their recent traffic safety awards from AAA Traffic Safety Advisory Board. The Police Department received the Platinum Award, which is the highest award, for their traffic safety, bicycle injury and seatbelt use programs. Police Officer Shawn Gwilt received an individual award for speed awareness and Officer Ross Carnie received an individual award for occupant protection.

Councilor Giordano gave a brief update on the proposed Manlius Fire Station Committee. Councilor Giordano stated that the Village of Manlius will host several informational public meetings on the proposed project over the next few months. Information regarding those meetings are available on the Manlius Fire Station website.

G) Supervisor

Supervisor Theobald congratulated the Town of Manlius Police Department for their awards from the AAA Traffic Safety Council.

Supervisor Theobald stated that the Town has received a letter from Judge O'leary that his financial records are ready for the Annual Justice Court Audit.

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 7:56 pm to enter into executive session to discuss collective bargaining.

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

Nays: 0

All in favor.

Motion Carries.

Respectfully Submitted by:

Allison Edsall
Town Clerk

EXECUTIVE SESSION MEETING MINUTES

Executive Session

January 21, 2015

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 Giordano and seconded by Councilor Marnell, the Board unanimously voted to adjourn the Regular Session at 8:21 p.m.

Submitted by:

Tim Frateschi
Attorney for the Town