

MINUTES
TOWN BOARD
May 23, 2018

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
Sara Bollinger, 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. Weber, Town Clerk
Mike Crowell, Police Chief	Rob Cushing, Highway Superintendent
Doug Miller, Town Engineer	Ann Oot, Town Manager
Randy Capriotti, Director of Codes	

Other persons attending: Ellen & Mike McGrew, Manlius. Syd Tenenbaum, E. Syr. Hunter Penoyer, Chittenango. Greg Kraus, N. Syr. Fritz Kraus. Aaron Wood, E. Syr. Pat Curtin, Fayetteville. Kristen Oot, E. Syr. Marcia Philipp, E. Syr.

The Pledge of Allegiance

Supervisor Theobald, called the meeting to order at 6:30 pm. Highway Superintendent Cushing led the Pledge of Allegiance. Supervisor Theobald welcomed everyone and thanked all for attending.

Approval of Minutes – April 25, 2018

Councilor Loeffler made a motion, seconded by Councilor Marzola, to approve the minutes of April 25, 2018, as submitted by Deputy Clerk Witzel.

Ayes: Supervisor Theobald, Councilor Loeffler, Councilor Rossetti, Councilor Bollinger, Councilor Giordano

Abstain: Councilor Marzola, Councilor Green

Motion Carries.

Approval of Minutes – May 9, 2018

Councilor Loeffler made a motion, seconded by Councilor Marzola, to approve the minutes of May 9, 2018, as submitted by Town Clerk Weber.

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

Nayes: 0

All in Favor.

Approval of Abstract # 10

Councilor Marzola made a motion, seconded by Councilor Green, to approve Abstract # 10 as submitted by Town Clerk Weber.

	TOWN OF MANLIUS	
	Fund Summary	
	Abstract # 10 - 2018	
<u>CODE</u>	<u>FUND</u>	<u>TOTALS</u>
A	General Fund Townwide	\$ 233,359.94
B	General Fund Town	\$ 4,311.37
DA	Highway Fund Townwide	\$ 65,841.66
DB	Highway Fund Town	\$ 75,332.66
SR1	Manlius Trash District	\$ 98,279.87
SR2	Manlius Res Brush District	\$ 11,513.00
SS1	Manlius Con Sewer District	\$ 332.07

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

Nayes: 0

All in Favor.

Motion Carries.

Public Hearing – 6:35 PM -Special Permit Amendment – Traditions at the Links - 5900 N. Burdick St., E. Syracuse

Greg Kraus, Traditions at the Links, made a brief presentation on the proposed amendment to the special permit issued to Traditions at the Links. Mr. Kraus requested an amendment to allow live music to be performed on the back patio area in the summer months, weather permitting, with the sound kept at a reasonable decibel level. Mr. Kraus stated that the speakers will be directed away from the nearby homes and back towards the golf course or the building. Mr. Kraus stated that Traditions at the Links has been hosting this event for a few years now and the event is well attended.

Councilor Rossetti reviewed the terms and conditions of the original special permit approved on November 10, 1993. Mr. Rossetti asked the Applicant if each of the terms and conditions of the original permit have been met? Mr. Kraus stated that each of the terms and conditions have been met to the satisfaction of the Town.

Attorney Frateschi stated that the live music performances are a current practice that have been occurring during previous summers. Attorney Frateschi stated that some complaints about the live music have been made to the Town.

Councilor Loeffler asked if there would be any time parameters placed on the live music? Mr. Kraus stated that the music is performed from 7:00 PM to 10:00 PM.

Mr. Wood stated that everyone has stressful lives and it nice to have a fun event to look forward to each week.

Supervisor Theobald read a letter of support from Brent Morehouse and Heidi Glovack (Snowball Run) supporting the amendment to the special permit to allow live music.

With there being no further comments from the public, Councilor Rossetti made a motion, seconded by Councilor Bollinger, to close the public hearing at 6:46 PM in the matter of the Special Permit Amendment for Traditions at the Links, 5900 N. Burdick St., E. Syracuse to allow live music to be performed on the back patio area in the summer months.

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

Nayes: 0

All in Favor.

Motion Carries.

Attorney Frateschi asked the Board if they are in favor of the amendment and there was unanimous consent. Attorney Frateschi discussed the proposed parameters of the amendment which should include the number of days allowed, the time of the music and any mitigating measures related to sound attenuation.

Councilor Loeffler asked if the amendment should expire in one year so that the town board can review the matter.

Town Clerk Weber stated that the existing special permit will expire in 2020.

Councilor Marzola discussed the complaints that were received and asked if the town should codify the noise level in the special permit.

Attorney Frateschi stated that the town has a noise ordinance that covers all noises levels.

Chief Crowell discussed the noise ordinance and what is considered a reasonable noise level.

Conversation ensued regarding the special permit process and where the complaints about the live music originated.

Attorney Frateschi proposed an amendment to the special permit as follows:

- The Applicant is allowed to have live music on the deck and/or patio of the building one night per week, no later than 10:00 PM. The speakers and music will be directed towards the building at decibel levels reasonable to the time and circumstance as set forth in the Town Code.

Councilor Marzola made a motion, seconded by Councilor Giordano, to approve the Special Permit Amendment for Traditions at the Links, 5900 N. Burdick St., E. Syracuse to allow live music to be performed on the back patio area in the summer months as presented.

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

Nays: 0

All in Favor.

Motion Carries.

OCWA – Request to Install 2 Hydrants – Muscovy Lane

Highway Superintendent Cushing presented a request from OCWA to install two fire hydrants on Muscovy Lane.

Councilor Loeffler made a motion, seconded by Councilor Rossetti, to authorize the Supervisor to sign an agreement as submitted by OCWA to install 1 fire hydrant # 14362 on Muscovy Lane 460' south of Aylesbury Path and 1 fire hydrant # 14363 on Muscovy Lane 480' north of Widgeon Path at an annual rate of \$71.61 per hydrant.

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

Nays: 0

All in Favor.

Motion Carries.

OCWA – Request to Transfer 2 Existing Hydrants – Kimry Moor

Town Clerk Weber stated that the town has received a request from OCWA to accept two hydrants located in Kimry Moor as part of the Town Consolidated Water District. Town Clerk Weber stated that this acceptance is for administrative purposes only and there will be no additional annual charge to the Town.

Councilor Giordano made a motion, seconded by Councilor Rossetti, to accept two hydrants # 14339 and # 14340 located in Kimry Moor as part of the Town of Manlius Consolidated Water District.

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

Nays: 0

All in Favor.

Motion Carries.

Street Light Request – Cleveland Blvd and Route 5

Highway Superintendent Cushing stated that the town has received a request to install a street light at the intersection of Cleveland Boulevard and Route 5. Highway Superintendent Cushing stated that the request has been reviewed by National Grid and a 48w LED light is recommended.

Councilor Green made a motion, seconded by Councilor Giordano, to approve the Highway Superintendent to authorize National Grid to install a 48w LED fixtures on a pole one at the intersection of Cleveland Boulevard and Route 5 at an annual cost of \$110.87.

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

Nayes: 0

All in Favor.

Motion Carries.

Correspondence/New Business

A) Highway Superintendent

Highway Superintendent Cushing presented a request from National Grid for a highway permit to work within the town right of way to install a 4" gas main at the intersection of Whistling Swan and S. Eagle Village Rd.

Councilor Rossetti made a motion, seconded by Councilor Giordano, to authorize the Highway Superintendent to sign a highway permit to work within the town right of way to install a 4" gas main at the intersection of Whistling Swan and S. Eagle Village Rd.

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

Nayes: 0

All in Favor.

Motion Carries.

B) Planning & Development

Director Capriotti stated that he has already received several tall grass complaints this spring. Director Capriotti stated that the current process where he is required to obtain individual town board approval to authorize the mowing of tall grass on properties can take up to three weeks for the tall grass to be mowed. Director Capriotti requested permission for the 2018 mowing season to mow any properties that are found to violate the town code after proper violation notification procedures have been followed.

Conversation ensued regarding the required violation notification process. The Town Board requested updates at the Town Board meetings on the properties that have been mowed.

Councilor Rossetti made a motion, seconded by Councilor Green, to authorize the Director of Planning and Development to proceed with the mowing of any properties that violate the town code after the proper violation notification procedures have been followed.

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

Nayes: 0

All in Favor.

Motion Carries.

Director Capriotti stated that the new part-time code enforcement officer is doing well and has quickly learned his job duties.

C) Attorney – No New Business

D) Town Clerk

Special Permit Renewal – Cell Tower – 5685 Pierson Rd.

Town Clerk Weber reviewed the special permit renewal application by SBA Communication Corporation for a cell tower located at 5685 Pierson Rd. Town Clerk Weber stated that the application is complete and has been reviewed by the Office of Planning & Development.

Councilor Rossetti made a motion, seconded by Councilor Loeffler to approve the special permit renewal for the cell tower located at 5685 Pierson Rd. (Tax Map # 082.-01-35.1/1), FCC Tower # 1234003 to expire in 7 years on May 31, 2025.

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

Nays: 0 All in Favor. Motion Carries.

E) Police Chief

Chief Crowell gave a brief report on the Town of Manlius Police Department.

- The operational plans for the upcoming Memorial Day parades are complete.
- In-service training was a success and has been completed.
- The Town of Manlius Police Department will be participating in the Hometown Heroes Parade.
- First quarter calls for service are up 34%.
- Two new police officers will have enrolled and begun training in the current police academy

Councilor Bollinger stated that the Fayetteville Manlius 2019 School Budget was approved with funding for an additional School Information Resource Officer (SIRO).

F) Town Board

Councilor Green stated Jackie Maher the administrative assistant to the Recreation Department will be retiring at the end of June. Councilor Green thanked Jackie Maher for her many years of service to the Town of Manlius residents.

Councilor Green stated that Tina Galvin from the Department of Assessment will be transferring to Recreation Department to fill the administrative assistant position.

G) Supervisor

Councilor Loeffler made a motion, seconded by Councilor Marzola, to accept the Supervisor's monthly report for April 2018 as presented.

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

Nays: 0 All in Favor. Motion Carries.

There being no further business to come before the Board, upon motion duly made by Councilor Rossetti and seconded by Councilor Green the Board voted unanimously to adjourn regular session at 7:16 PM.

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

Nays: 0

All in favor.

Motion Carries.

Respectfully Submitted by:

Allison A. Weber
Town Clerk