

Agenda
Town Board Meeting
September 13, 2023
6:30 PM

1. Virtual Meeting Instructions

Documents:

[9-13-23 TOWN BOARD MEETING INSTRUCTIONS.PDF](#)

2. Pledge Of Allegiance

3. Open Podium

4. Set Date - Zone Change - 7078 East Genesee St., Fayetteville NY (Tax Map 092.-01-05.0)
R1 To RM

View Application [HERE](#).

5. Set Date - Public Hearing - Garden Park Apartments - October 4th

View District Proposal Documents [HERE](#).

6. Set Date - Public Hearing - Property Tax Cap Override

Documents:

[2023-__ SET DATE PROPERTY TAX OVERRIDE PUBLIC HEARING MANLIUS
FY 2024 4880-0424-1278 V.1.PDF](#)

7. Barton & Loguidice D. P.C. - Agreement Amendment Number 2 - Comprehensive Plan

Documents:

[BARTON AND LOGUIDICE D.P.C - AGREEMENT AMENDMENT NUMBER 2 -
COMPREHENSIVE PLAN.PDF](#)

8. Certificate Of Deposit Purchase

The Town of Manlius will be investing \$2 million in a Certificate of Deposit purchased through M & T Bank.

9. InCode Version 10 - Tyler Technologies Agreement

Documents:

[TYLER TECHNOLOGIES - AGREEMENT.PDF](#)

10. Approval Of Minutes - August 9, 2023 And August 23, 2023

Documents:

[8-9-23.PDF](#)

11. Approval Of Abstract # 17

12. Adjournment

This meeting is being recorded and live streamed. The recording will be broadcast live and will be posted to the town website at www.townofmanlius.org



September 13, 2023

6:30 PM

Town Board Meeting Instructions

The easiest way to participate in the meeting is to use the link provided below. The meeting will be conducted on the ZOOM platform as a webinar. Please make sure that when you complete your attendee registration you enter your full name.

Click on the link or enter the meeting URL web address as listed below.

<https://us02web.zoom.us/j/89584292592?pwd=VkJFL0ptM0F2Z3h0dnRNRDAxeXV4QT09>

Password to join when prompted:

Password: **171855**

Enter your email address and name and join the meeting.

Join by telephone by dialing the number below:

(929) 436-2866

When prompted to enter the Webinar ID, use the number below followed by #

Webinar ID: 895 8429 2592

Press # again to skip the personal id and enter the password below followed by #

Password: **171855**

If this is your first time joining a ZOOM meeting, you may practice using ZOOM meeting platform at <https://zoom.us/test>.

IN THE MATTER
Of
OVERRIDING THE PROPERTY TAX CAP
IN THE TOWN OF MANLIUS FOR FISCAL
YEAR 2024

LOCAL LAW 2023-__
CALLING FOR PUBLIC
HEARING

The **TOWN BOARD OF THE TOWN OF MANLIUS**, in the County of Onondaga, State of New York, met in regular session at the Town Hall in the Town of Manlius, located at 301 Brooklea Drive in the Village of Fayetteville, County of Onondaga, State of New York, and virtually on the platform commonly referred to as Zoom, the Town Facebook page and YouTube on the ____th of _____, 2023, at 6:30 p.m.

The meeting was called to order by John T. Deer, Supervisor, and the following were present, namely:

John T. Deer	Supervisor
Sara Bollinger	Councilor
Elaine Denton	Councilor
Alissa Italiano	Councilor
Katelyn M. Kriesel	Councilor
William Nicholson	Councilor
Heather Allison Waters	Councilor

The following resolution was moved, seconded and adopted:

WHEREAS, a Local Law has been introduced before the Board, to wit: Local Law No. 2023-__ , amending Article XI of Chapter 134 (“Taxation”) to override the tax levy limit established by General Municipal Law Section 3-c (the “Property Tax Cap”);

**LOCAL LAW 2023 - ___, A LOCAL LAW AMENDING
CHAPTER 134 ARTICLE XI, TAX LEVY LIMIT
OVERRIDE OF THE CODE OF THE TOWN OF MANLIUS:**

Be it enacted by the Town Board of the Town of Manlius, Onondaga County, New York as follows:

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Manlius County of Onondaga pursuant to General Municipal Law § 3-c, and to allow the Town of Manlius, County of Onondaga to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year 2019 and 2020 and 2021 and 2022 and 2023 *and 2024** that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Manlius County of Onondaga is hereby authorized to adopt a budget for the fiscal year 2020 and 2021 and 2022 and 2023 and 2024* that requires a real property tax levy in excess of the limit specified in General Municipal Law, §3-c.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.

* Added Language

WHEREAS, upon review of the projected expenses facing the Town, especially State pension costs, special district costs and other state mandated costs for which the Town has no control, the Town Board hereby finds that this override is a necessary prudent step;

RESOLVED, that the Town Board of the Town of Manlius, County of Onondaga, State of New York, shall hold a Public Hearing on said proposed Local Law 2023-____, and that such Hearing shall be held at the Town Hall of the Town of Manlius, located at 301 Brooklea Drive, Fayetteville, New York, on _____, 2023 at 6:35 p.m. and be it further;

RESOLVED, that the Town Clerk give notice of such Public Hearing by the publication of a notice in at least one newspaper circulated in the Town, specifying the time when and the place where such Public Hearing will be held, and in general terms, describing the proposed Local Law. Such notice shall be published once at least five (5) days prior to the Public Hearing.

I, ALLISON WEBER, Town Clerk of the Town of Manlius, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Town Board of the Town of Manlius at a regular meeting of the Board duly called and held on the ___rd day of _____ 2023; that said Resolution was entered in the minutes of said meeting; that I have compared the foregoing copy with the original thereof now on file in my office; and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Manlius, this ___rd day of _____ 2023.

DATED: _____, 2023
Fayetteville, New York

Allison Weber
Town Clerk of the Town of Manlius
Onondaga County, New York

AMENDMENT NUMBER 2
(“Amendment”)
TO THE
AGREEMENT DATED FEBRUARY 24, 2021
(“Agreement”)
BETWEEN
TOWN OF MANLIUS (“Owner”)
AND
BARTON & LOGUIDICE, D.P.C. (“Engineer”)
FOR
PROFESSIONAL SERVICES FOR TOWN OF MANLIUS
COMPREHENSIVE PLAN (“Project”)

The above referenced Agreement between Owner and Engineer is amended to include the changes set forth below. The Agreement referenced above, including any amendments or revisions thereto previously agreed to in writing between Owner and Engineer, remains in full force and effect except as modified herein.

1. Change in Scope of Services to be Performed

- A. The scope of services to be performed by Engineer is hereby modified as described in Attachment One.

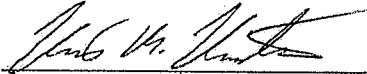
2. Change in Compensation for Services

- A. Total compensation for the services described in Attachment One, including reimbursable expenses, is estimated to be Fifteen Thousand Seven Hundred and Fifty Dollars (\$15,750), which shall be in addition to any payment amount(s) previously agreed to in writing between Owner and Engineer for this Project.
- B. Owner’s method of payment to Engineer shall be lump sum as set forth in the Agreement referenced above.

3. Total Agreement

- A. This Amendment, along with the original Agreement and any other duly executed amendments previous to this Amendment, constitutes the entire agreement between Owner and Engineer for this Project; it supersedes all prior written or oral understandings and may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to the above referenced Agreement as of the latest day and year set forth below.

OWNER:	Town of Manlius	ENGINEER:	Barton & Loguidice, D.P.C.
By:	<u>John Deer</u>	By:	<u></u>
Title:	<u>Supervisor</u>	Title:	<u>Senior Vice President</u>
Date Signed:	<u></u>	Date Signed:	<u>August 16, 2023</u>

NOTE: Address for Giving Notices:
Barton & Loguidice, Attn: President, 443 Electronics Parkway, Liverpool, NY 13088

**Attachment One - Scope of Services for Amendment Number 2
Town of Manlius Comprehensive Plan**

**Scope of Services for Amendment Number 2
Town of Manlius Comprehensive Plan**

Background and Understanding

The Town of Manlius is in the process of adopting its Comprehensive Plan along with its Climate Action Plan, prepared by the Central New York Regional Planning and Development Board in close coordination with the Comprehensive Plan.

The Town retained B&L in February 2021 to assist with preparing the Town’s first Comprehensive Plan. Year one of the comprehensive planning process has been completed, during which time B&L provided additional technical assistance to the Town and CNYRDPB for preparation of the 2021 CSC grant application. The CSC grant, awarded in the amount of \$44,500, provided additional funds to help pay for year two of the comprehensive planning process, and allowed B&L to supplement the original Scope of Service to include a Zoning Assessment and Build-Out Analysis and additional CSC-focused elements.

Since then, B&L has been providing planning and community engagement services to help facilitate the drafting, review and completion of the Comprehensive Plan. In doing so, B&L provided additional services outside of the Scopes of Service authorized under the Original Agreement and Supplemental Agreement No.1, generally outlined below.

Completion Timeline

Steering Committee Open House & Public Hearing	March 28, 2023
Town Board Work Session	April 12, 2023
Steering Committee Public Meeting (re: Plan Forward to Town Board)	May 10, 2023
Updated Plan Provided to Town	May 19, 2023
Updated Plan Provided to Town	May 24, 2023
County Referral Submission	May 26, 2023
Updated Plan Provided to Town	June 9, 2023
Updated Plan and Public Hearing Materials Provided to Town.....	June 12, 2023
Town Board Public Hearing	June 28, 2028
Updated Plan Provided to Town	July 19, 2023
Updated Plan Provided to Town	July 25, 2023
Town Board Public Meeting (re: Plan Adoption)	July 26, 2023
Final Plan Provided to Town	August 18, 2023
Climate Smart Communities Memo Provided to Town/CNYRPDB	August 18, 2023

Supplemental Scope of Services

The following tasks were completed by B&L as supplemental services to the Original Agreement and Amendment No. 1 for the Town’s Comprehensive Plan:

- 1) Reviewing and compiling summaries from several Steering Committee-led focus groups, study groups, and listening sessions into a single document for inclusion in the Comprehensive Plan Appendix.
Supplemental Fee: \$2,325.00

- 2) Preparation for a series of self-guided Open House style meetings in the Fall of 2022, including the creation and printing of large-print posters, production of a video to be played at the events, and drafting of a summary for the Comprehensive Plan Appendix.
Supplemental Fee: \$4,820.00
- 3) Preparation for and attendance at two (2) additional Steering Committee meetings, including one standard planning meeting (beyond the seven accounted for in the original agreement) and the second Steering Committee Public Meeting/Hearing on May 10, 2023.
Supplemental Fee: \$2,300.00
- 4) Preparation for and attendance at three (3) additional Town Board meetings, including the Comprehensive Plan process presentation on October 26, 2022; the Climate Action Plan Workshop on March 8, 2023; and the Comprehensive Plan work session on April 12, 2023.
Supplemental Fee: \$1,350.00
- 5) Revisions to the Future Land Use Strategy to reflect evolving understandings of the potential impacts of the Micron development in Clay, NY.
Supplemental Fee: \$3,400.00
- 6) Additional iterations of comments/editing beyond the single set per deliverable as outlined in the original agreement's technical assumptions.
Supplemental Fee: \$1,100.00
- 7) Reviewing and providing feedback on the Town's draft application for the NYS DOS Smart Growth Community Planning and Zoning Grant Program.
Supplemental Fee: \$455.00

TOTAL FEE FOR SUPPLEMENTAL SCOPE OF SERVICES: \$15,750.00

Payment terms and conditions for the supplemental Scope of Services will be in accordance with the Original Agreement.



Sales Quotation For:
 Town of Manlius
 301 Brooklea Dr
 Fayetteville NY 13066-1301

Quoted By: Ethan Reynolds
Quote Expiration: 2/20/24
Quote Name: Migration ERP Pro 10

Tyler Annual Services	
Description	Annual
ERP	
Other Services	
Tyler University	\$ 0
TOTAL:	
	\$ 0

Tyler Migration Services	
Description	Total
ERP Pro powered by Incode	
ERP Pro 10 Financial Management Suite	
Financial Management Services	\$ 12,240

Core Financials
Fixed Assets
Purchasing

Other Services

Project Management

\$ 3,000

Total:

\$ 15,240

Summary

One Time Fees

Recurring Fees

Total Tyler Services

\$ 15,240

Summary Total

\$ 15,240

\$ 0

Comments

Work will be delivered remotely unless otherwise noted in this agreement.

SaaS is considered a term of one year unless otherwise indicated.

Core Financials

Core Financials includes general ledger, budget prep, bank recon, AP, CellSense, a standard forms pkg, output director, positive pay, secure signatures.

MINUTES
TOWN BOARD
August 9, 2023

The Town of Manlius Town Board held a hybrid meeting with in-person attendees and virtual attendees. The meeting was live streamed on the Town Facebook page and the Town YouTube Channel. The recording of the meeting can be viewed here;
<https://www.youtube.com/channel/UC3pS9-uTiX4l7aEgciGEVSA>

Supervisor Deer presided, and the following Board members were present:

Sara Bollinger, Councilor
Elaine Denton, Councilor
Heather Waters, Councilor
Alissa Italiano, Councilor
William Nicholson, Councilor
Katelyn M. Kriesel, Councilor

The following Town Officers were present: Tim Frateschi, Attorney for the Town. Ann Oot, Town Manager. Allison Weber, Town Clerk. Jason Cassalia, Police Chief, Tom Poitras, Code Officer. Maria Lenway, Comptroller. Kayandra Blythe, Deputy Town Manager.

The following Town Officers Attending Virtually: Councilor Waters (In attendance but not voting)

1. Attendees

In-Person Meeting Attendees: Tim Kelly, Fayetteville. Dave Barnwell, Manlius. Michael Nesci, E. Syracuse. Casey Cleary, Fayetteville. Craig Dudczak, Fayetteville. Charles Bruer, Fayetteville. Brody Smith, Syracuse. Joe Messineo, Manlius. Cheryl & Mark Matt, Fayetteville. Stephen Benson, Manlius. Tom Bassett, Manlius. Mike Friend, Manlius. Mary Teska, Fayetteville. Barb Wilson, Manlius. John Boyd, Fayetteville. Brad Sauve, Manlius.

Virtual Meeting Attendees: Arnold Poltenson, Jane Elizabeth Brown, Andrea Scamehorn, Warren Linhart, Peggy Kurtz.

2. The Pledge of Allegiance

Supervisor Deer called the meeting to order at 6:30 PM. Councilor Italiano led the Pledge of Allegiance. Supervisor Deer welcomed everyone and thanked all for attending.

3. 6:31 PM Open Podium

Town Clerk Weber read aloud a statement from Robert Wheeler. Mr. Wheeler submitted a letter in opposition to the petition for the ward system. Mr. Wheeler's letter discussed the cost of the special election, the GOP forcing the election at this time to get lower turnout and the GOP causing increased costs to the taxpayers. Mr. Wheeler stated that the Chair of the GOP in Manlius was concerned with the cost of the comprehensive plan and is costing the taxpayers the expense of a special election. Mr. Wheeler discussed why the ward system is not a good system for the town.

Jospeh Messineo, Manlius, asked the Town Board to submit responses to the questions submitted to the Town Board regarding the Skyridge Water District.

Mr. Messineo stated that state law and the town code require that the Town should have a Board of Ethics and asked the Town Board to form a Board of Ethics.

Tom Bassett, Manlius, spoke about the petition submitted for the ward system. Mr. Bassett discussed the cost of a special election, the poor timing of the petition and further stated that the merits of a ward system should be discussed.

Mike Nesci, E. Syracuse, stated that he is disappointed that there was not more discussion around the issue (the ward system & the petition). Mr. Nesci stated that there should have been more public involvement with the petition and if inclusivity matters it would have been put on the ballot in the general election.

Casey Cleary-Hammarstedt, Fayetteville, stated that she views these petitions as a divisive political action by Tim Kelly Chair of the Manlius Republican Committee and candidate for Town Supervisor. Ms. Cleary Hammarstedt stated that studying the viability of a ward system was in the comprehensive plan. Ms. Cleary Hammarstedt stated that she does not agree with this approach and this style of leadership. Ms. Cleary Hammarstedt encouraged the Town Board to study and improve the petition process.

John Boyd, Fayetteville, spoke in opposition to the ward system. Mr. Boyd stated that the ward system could give a dangerous platform to radical individuals and discussed how the ward system would make that possible, Mr. Boyd stated that we cannot allow this in our community.

Barb Wilson, Manlius, stated that Tim Kelly's statement in Syracuse.com stating that it has nothing to do with political affiliation and that it has to do with fair representation. Ms. Wilson stated that as a voter she does not think this petition is fair. Ms. Wilson discussed why the petition submitted is not fair and further stated that no one seems to understand what the petition means. Ms. Wilson stated that the petition is not fiscally responsible.

Craig Dudczak, Fayetteville, asked questions about the petition and the validation of the signatures.

4. 6:58 PM Joule Community Energy – Clean Energy Program

Peggy Kurtz, Joule Energy, gave a presentation on community based clean energy programs.

The Town Board asked questions and discussed community based solar. The Town Board tabled the matter for further consideration.

5. 7:28 PM Twin Ponds – Planned Unit Development (PUD) Request – 5440 N Burdick Street

Brody Smith, Attorney for the Applicant, gave a presentation on the Planned Use Development Request for 5440 N Burdick Street, Fayetteville and reviewed the district language.

The Town Board and the applicant discussed affordable housing and how it relates to the PUD.

Town Clerk Weber stated that she has accepted the petitions and submitted a letter outlining her decision.

Supervisor Deer reviewed what will be required for the Town Board to hold a special election,

Supervisor Deer outlined the following:

1. The Town Board will set an exact date for the election.
2. The Town Board will work with the Board of Elections for the use of their voting machines.
3. The Town Board must find and employ election inspectors for the day of the election.
4. The law requires an eight-hour continuous time between 8AM and 8PM for the election.
5. The default polling place will be Town Hall. The Town could have additional polling locations and extend to more than eight hours.
6. The Town Board is reviewing options and understanding that each addition (time & place) will add to the cost.
7. If the Town Board does not set up a board of registrars, there will be no early voting and no absentee ballots. Without the Board of Registrars, you must be in town to vote.
8. You must be able to appear at Town Hall for either the Board of Registrars and election day or election day only if there is no Board of Registrars. There is no options for residents that are unable to travel to the Town Hall or for residents who are out of town.
9. The Town Board does not have the option of moving this to the November ballot because of when the petitions were filed.
10. If the ward system is approved the Board of Elections would be charged with drawing the maps and every town councilor will have their terms expire at the end of 2025.

The Town Board discussed the different options of running a special election as the Onondaga County Board of Elections is not allowed to run this election. It was also discussed what the ward system would change for the town.

Councilor Italiano stated that she feels that the way this is happening is voter suppression.

Councilor Nicholson stated that exploring the option of the ward system was identified in the Comprehensive Plan and it would be better to do this in a way where the Town could explore all of the contingencies instead of having to make abrupt decisions.

Supervisor Deer and Town Clerk Weber discussed the notification process for the special election. Town Clerk Weber stated that she was advised that the Town cannot send out a townwide mailing because the Town could be open to liability if even one residence is missed. Town Clerk Weber stated that she will be sending out notifications through all of the other channels.

Councilor Italiano stated that she believes this is a calculated move by the people who submitted the petitions as the people who submitted the petitions speak at every meeting.

Supervisor Deer stated that the Town Board will work towards having a resolution prepared for the next meeting to set the date and parameters for the special election.

10. 8:30 PM Recreation Department New Hire

Councilor Italiano made a motion, seconded by Councilor Bollinger, to hire Tyler Delaney at a rate of \$15.75 per hour as a recreation attendant.

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Nicholson, Councilor Denton, Councilor Italiano, Councilor Kriesel.

Nays: 0 All in Favor. Motion Carries.

11. 8:31 PM Approval of Minutes – June 28, 2023, and (July 12, 2023, Tabled)

Councilor Denton made a motion, seconded by Councilor Italiano, to approve the June 28, 2023, minutes as presented by Town Clerk Weber.

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Nicholson, Councilor Denton, Councilor Italiano, Councilor Kriesel.

Nays: 0 All in Favor. Motion Carries.

12. 8:32 LaBella Associates Engineering Consultants – Engagement Letter

Councilor Bollinger made a motion, seconded by Councilor Nicholson, to authorize the Supervisor to sign the engagement letter with LaBella Associates contingent upon legal review.

Ayes: Supervisor Deer, Councilor Bollinger, Councilor Nicholson, Councilor Denton, Councilor Italiano, Councilor Kriesel.

Nays: 0 All in Favor. Motion Carries.

16. 8:32 PM Approval of Abstract # 15

Councilor Bollinger made a motion, seconded by Councilor Nicholson, to approve Abstract # 15 in the amount of \$561,974.99 as submitted by Town Clerk Weber.

TOWN OF MANLIUS		
Fund Summary		
Abstract # 15 - 2023		
CODE	FUND	TOTALS
A	General Fund Townwide	\$300,319.51
B	General Fund Part Town	\$5,823.03
DA	Highway Fund Townwide	\$71,920.82
DB	Highway Fund Part Town	\$174,092.28
CM3	Sustainable Manlius	\$625.00
SL1	Overhead Lighting District	\$1,608.89
SL2	Underground Lighting	\$2,227.31
SL3	Entry Lighting	\$106.64
SL4	Garden Park Lighting	\$677.86
SL5	Ratnour Bridge Lighting	\$2,439.26
SR1	Trash	\$185.87
SR2	Brush	\$185.87

