

MINUTES  
TOWN BOARD  
February 12, 2020

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:

Karen Green, Councilor  
Elaine Denton, Councilor  
John Deer, Councilor  
Heather Waters, Councilor  
Katelyn M. Kriesel, Councilor

Absent: Sara Bollinger, Councilor

The following Town Officers were present:

Tim Frateschi, Attorney for the Town	Allison A. Weber, Town Clerk
Kevin Schafer, Captain	Rob Cushing, Highway Superintendent
Doug Miller, Town Engineer	Ann Oot, Town Manager
Randy Capriotti, Director of Codes	

Other persons attending Open Podium and the Town Board Meeting: Ellen & Mike McGrew, Jen Chapman, Mark Suchowiecki, Ryan Thames, Kate Wayner, Jessica & Thomas Umina, Shere & Sean Brown, Marie & Curtis Slater, Paul & Laren Shapero, Chaistine Saville, Jacqueline Dochester, Mark & Kim 1400 Gaspari, David Hansen, Katherine Kurtz, Melanie Vilardi, Diaa Elzourkany, Victoria Balintfy, Naren Peddibhotla, Mark Bort, Jason Rutkey, Paul Crescenzi, Christine Kelly, Warren Linhart, Samantha Otic, Scott Fuller, Jason Boyce, R. Hart, Kevin Nickels, Christine & Keith Saville, John Beecher, Dan DeBlois, Subuash & Swapnila Das, Roseann Lorefice, Cheryl & Chris Demers, Tony Waddell, Eric & Kim Gerace, Scott Sugar, Alison & Eric Sczerbaniewicz, Mark & Amy Barrett, Kevin Conway, Shaun & Alexandra Manning, Gina & Don Godier, Daniel & Jennifer Modugno, Liesha Dukat, Michael Ellis, Michael Redivivo, Jeff Tianello, Stella & John Penizotto, Robert Zelle, Gloria Hirsch, Tammy Hirsch, Valerie Beecher.

**The Pledge of Allegiance**

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

**Approval of Minutes – January 22, 2020**

Councilor Green made a motion, seconded by Councilor Kriesel, to approve the minutes of January 22, 2020 as submitted by Town Clerk Weber.

Ayes: Supervisor Theobald, Councilor Green, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nays: 0

All in Favor.

Motion Carries.

**Approval of Abstract # 3**

Councilor Green made a motion, seconded by Councilor Kriesel, to approve Abstract # 3 as submitted by Town Clerk Weber.

TOWN OF MANLIUS		
Fund Summary		
Abstract # 3 - 2020		
<u>CODE</u>	<u>FUND</u>	<u>TOTALS</u>
A	General Fund Townwide	\$ 279,874.68
B	General Fund Town	\$ 7,257.43
CM1	Police Trust	\$ 3,860.28
DA	Highway Fund Townwide	\$ 127,321.42
DB	Highway Fund Town	\$ 371.67
SF1	Fayetteville Fire Protection	\$ 1,710,424.00
SF2	Manlius Fire Protection	\$ 1,405,884.00
SF3	Minoa Fire Protection	\$ 875,192.00
SF4	Kirkville Fire Department	\$ 232,084.00
SL1	Overhead Lighting	\$ 1,639.02
SL2	Underground Lighting	\$ 2,413.27
SL3	Entry Lighting	\$ 106.47
SL4	Garden Park Lighting	\$ 638.72
SL5	Ratnaur Bridge Lighting	\$ 2,738.07
SR1	Manlius Trash District	\$ 168.44
SR2	Manlius Res Brush District	\$ 168.44
SS1	Manlius Con Sewer District	\$ 4,106.51
TA2	Trust & Agency - Other	63,533.98

Ayes: Supervisor Theobald, Councilor Green, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nays: 0

All in Favor.

Motion Carries.

**Public Hearing – Proposed Local Law 2020-1 to Repeal Local Law 2016-9 that Removed the Real Property Tax Exemption for Solar, Wind or Farms Waste Energy**

Town Assessor Patrick Duffy gave a presentation on the different types of energy systems that would qualify for the exemption and the impact the exemption would have if the current properties that qualify apply for the exemption.

**SEQR –**

**PART II – Short Environmental Assessment Form**

Attorney Frateschi reviewed Part II of the short environmental assessment form with the Town Board. The Town Board determined that each of the environmental factors would have no more than a small to moderate impact. After further discussion, the Board agreed that there would be no significant environmental impact by adopting Local Law 2020-1 to repeal Local Law 2019-6 that Removed the Real Property Tax Exemption for Solar, Wind or Farms Waste Energy.

Ayes: Supervisor Theobald, Councilor Green, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nays: 0

All in Favor.

Motion Carries

Councilor Green made a motion, seconded by Councilor Kriesel, to declare the Town of Manlius lead agency for SEQR purposes in the matter of the Local Law 2020-1 to repeal Local Law 2016-9 – that Removed the Real Property Tax Exemption for Solar, Wind or Farms Waste Energy.

Ayes: Supervisor Theobald, Councilor Green, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nays: 0 All in Favor. Motion Carries.

Attorney Frateschi noted for the record that this matter is an unlisted action.

Councilor Green made a motion, seconded by Councilor Kriesel issue a negative declaration for SEQR purposes in the matter of in the matter of the proposed Local Law 2020-1 to repeal Local Law 2016-9 – that Removed the Real Property Tax Exemption for Solar, Wind or Farms Waste Energy.

Ayes: Supervisor Theobald, Councilor Green, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nays: 0 All in Favor. Motion Carries.

Councilor Green made a motion, seconded by Councilor Kriesel, to waive the reading of the public notice in the matter of the proposed Local Law 2020-1 to repeal Local Law 2016-9 that Removed the Real Property Tax Exemption for Solar, Wind or Farms Waste Energy.

Ayes: Supervisor Theobald, Councilor Green, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nays: 0 All in Favor. Motion Carries.

Councilor Kriesel made a motion, seconded by Councilor Green, to open the public hearing at 6:58 pm in the matter of proposed Local Law 2020-1 to repeal Local Law 2016-9 that Removed the Real Property Tax Exemption for Solar, Wind or Farms Waste Energy.

Ayes: Supervisor Theobald, Councilor Green, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nays: 0 All in Favor. Motion Carries.

Kevin Nichols, Nichols Energy Solutions, spoke in favor of the proposed local law. Mr. Nichols stated that the town of Manlius is an outlier in terms of residential solar and only one other municipality has opted out of the exemption. Mr. Nichols stated that he has had customers in the town that have not moved forward with the installation of solar panels because they are not sure what would happen to their assessment. Mr. Nichols stated that homeowners have been frustrated by this and if Manlius would like to see more clean energy this exemption will help.

Dave Lenson, Manlius, spoke in favor of the exemption. Mr. Lenson stated that promoting solar development is beneficial and would be encouraged.

Casey Guereschi, Manlius, spoke in favor of the exemption. Mr. Guereschi stated that he has solar panels at his home and was not aware that the town did not offer this exemption. Mr. Guereschi stated that he turned the exemption form in at the assessment office as was never notified that the exemption did not exist. Mr. Guereschi stated that his assessment did go up and he asked where the additional revenue was being spent.

Assessor Duffy discussed how the exemption is applied and stated that the Fayetteville Manlius School District has opted out as well.

Discussion ensued regarding why the previous Town Board had opted out of the exemption.

Councilor Green stated that there was a concern at the time regarding the tax distribution throughout the town.

Supervisor Theobald discussed the other exemptions that are available for town residents.

Councilor Kriesel discussed the benefits of solar arrays in the community. Councilor Kriesel stated that when an individual goes solar the neighbors near the solar array benefit by using the solar energy that is added to the grid.

Discussion ensued regarding previous solar array applications and how the larger solar arrays impact the energy on the grid.

Roseanne Lorefice, Manlius, commended the Town Board for taking up the issue. Ms. Lorefice stated that measures such as these will encourage residents to go solar and improve the environment.

Ron Zimeck, Manlius, stated that he was surprised to hear that the town does not participate in the solar exemption. Mr. Zimeck stated that he installed solar at his home and his assessment went up. Mr. Zimeck stated that he does not know if adding solar to his home did improve the value. Mr. Zimeck stated that he thought he lived in a progressive community and asked the town board to approve this local law to encourage solar.

Assessor Duffy discussed the property value of a home with solar and without solar.

With there being no further comments from the public, Councilor Green made a motion, seconded by Councilor Waters, to close the public hearing at 7:17 PM in the matter of proposed Local Law 2020-1 to repeal Local Law 2016-9 that Removed the Real Property Tax Exemption for Solar, Wind or Farms Waste Energy.

Ayes: Supervisor Theobald, Councilor Green, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nayes: 0

All in Favor.

Motion Carries.

Councilor Kriesel encouraged her fellow town board members to adopt the proposed local law and to be mindful of the financial return of this. Councilor Kriesel stated she will continue to focus on policies that will help address the climate crisis.

Supervisor Theobald stated that he would like the Town Board to consider PILOT programs for future larger commercial solar applications.

Councilor Kriesel stated that she would like to get information on how other communities address large scale solar.

Councilor Kriesel made a motion, seconded by Councilor Deer, to adopt the proposed Local Law to Repeal Local Law 2016-9 that Removed the Real Property Tax Exemption for Solar, Wind or Farms Waste Energy.

Discussion: The Town Board discussed whether or not the requirement for a PILOT program for large scale solar would need to be added before the law was adopted. After discussion it was determined that the PILOT information did not need to be added now and could be considered in the future when a large-scale solar project was submitted.

Ayes: Supervisor Theobald, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nayes: Councilor Green

Motion Carries.

**Onondaga County Department of Water Environment Protection (WEP) – Consolidated Sewage Disposal System Lease.**

Frank Mento and Shannon Harty, Onondaga County Department of Water Environment Protection Agency, presented a proposal to the Town Board for a Consolidated Sewage Disposal System Lease to create a Consolidated Sanitary Sewer District. The lease would be a 40-year lease that would allow WEP to maintain the sewers. The town residents would no longer see a town sewer charge and a county sewer charge.

- The proposal would allow the County to address the broken sewer assets that allow inflow and infiltration into the collection system.
- The current inflow and infiltration can cost up to 2.5 million dollars in WEP operating expenses and the DEC has issued permit violations.
- Consolidation would put all operations, maintenance and capital investments under WEP and residents would now have a single sewer charge.

The Town Board asked several questions regarding the proposal and there was a lengthy discussion regarding how town residents' sanitary sewer district charges would be passed on to residents. The Town Board discussed the terms of lease and confirmed that there was an opt out clause.

Supervisor Theobald noted that this would only effect residents who are currently in a sanitary sewer district and not a resident that is on septic.

Councilor Green asked what would happen if one municipality / district didn't participate. Mr. Mento stated that they are optimistic that will not be an issue.

Councilor Denton asked where the stormwater would go that is now getting into the sewer pipes. Ms. Harty stated that there is a stormwater drainage system that the stormwater will drain into.

Councilor Deer asked what percentage of the infiltration is coming from the town of Manlius? Mr. Mento stated that the County has not calculated that as this is a county-wide problem that can be solved by working together.

Councilor Deer asked how WEP plans to make the repairs and if this would result in a larger county government? Mr. Mento and Ms. Harty stated that the County would have a schedule of repairs and that not all of the repairs would occur at once.

After discussion the Town Board decided that they would like to have a period of public input on a major decision such as this. The Town Board tabled the matter until the next meeting.

**Board of Assessment Review Appointment**

After discussion the Town Board decided that it would like to advertise for the position and tabled the matter to allow for advertisement and interviews.

**Costumes Rental and Sets for the recreation department summer production of Matilda**

The contracts for set construction from Forest Hills Public Schools and costume rental from CNY Costumes Inc. were presented. Attorney Frateschi stated that he has reviewed the contracts and has no objections.

Councilor Waters made a motion, seconded by Councilor Green to approve the presented contracts for costumes and sets for the recreation department summer production of Matilda.

Ayes: Supervisor Theobald, Councilor Green, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nayes: 0

All in Favor.

Motion Carries.



**Encumbrances:**

A005.1220.450 Supervisor-Contractual	\$4,000
A005.1330.200 Receiver of Taxes-Equipment	\$250
A005.1330.400 Receiver of Taxes-Contractual	\$250
A005.1330.405 Receiver of Taxes-IT	\$200
A00.5.1410.401 Office Supplies	\$1,017
A00.5.1410.402 Seminars & Conferences	\$1,337
A00.5.1460.400 Records Management	\$3,475
A005.1620.440 Buildings-Repairs	\$4,000
A005.3120.200 Police-Equipment	\$3,700
A005.3120.400 Police-Contractual	\$4,100
A005.3120.402 Seminars/Con.	\$4,000
A005.3120.405 Police-Info Tech	419.52
A005.3120.412 Police-Vehicle Repaid	\$16,695
A005.3120.424 Police-Building Lease	\$46,467 (3 <sup>rd</sup> and 4 <sup>th</sup> quarter 2019)
A005.3120.446 Police-Maintenance Contract	\$2,055
A005.3120.448 Police-Uniforms/Cleaning	\$1,679.87
A005.3120.461 Police-Accreditation	\$3,528
A005.3120.465 Police-Forensic	\$287.49
A005.7310.410 Recreation-Program Expenses	\$5,000
B005.3620.404 (Books/Publications)	\$700

**Budget Transfers:**

Amount:	\$3,000
From:	A005.1460.100 Records Management-Personal Services
To:	A005.1410.100 Town Clerk-Personal Services
Amount:	\$8,200
From:	A005.1620.100 Buildings-Personal Services
To:	A005.1620.430 Buildings-Cleaning
Amount:	\$811
From:	A005.1620.446 Buildings-Maintenance Contract
To:	A005.1620.485 Buildings-Snow Removal
Amount:	\$1,750
From:	A005.1640.410 Central Garage-Gasoline
To:	A005.1640.411 Central Garage-Town Vehicle Maintenance
Amount:	\$8,131
From:	A005.1950.400 Judgments & Claims
To:	A005.1910.400 Unallocated Insurance
Amount:	\$4,000
From:	A005.3120.402 Police-Seminars/Conferences
To:	A005.3120.465 Police-Forensic
Amount:	\$606.36

From: SD2.5.8540.400 Drainage Contractual  
To: DB0.5.5110.478 Highway-General Repairs-Drainage

**Budget Amendment:**

Increase DA0.4.3500 Winter Severity Aid \$4,000 and Increase DA0.5.5142.470 Snow Removal-Material \$4,000

Councilor Green made a motion, seconded by Councilor Waters to approve the 2019 Budget Encumbrances, Transfers, Amendments as presented by Town Manager Oot.

Ayes: Supervisor Theobald, Councilor Green, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nays: 0 All in Favor. Motion Carries.

F) Town Board

Councilor Deer reported that the Livestreaming project is moving forward, and a test recording was completed during the current board meeting.

Councilor Waters reported that she continues to work on the comprehensive planning process and is researching examples and resources.

Councilor Denton reported that she took a tour of Clear Path for Veterans with several other councilors and attended the Critical Response Committee. Councilor Denton reported that she continues to work on the Town website.

Councilor Kriesel reported that the first meeting of Sustainable Manlius was a success and there was a packed room. Councilor Kriesel stated that it was a bi-partisan effort and that separate working groups were formed.

Councilor Green stated that she also attended the Critical Response Committee and it was very informative.

G) Supervisor

Supervisor Theobald stated that the Town Board has received a resolution from the Planning Board regarding the proposed 3Gi inland port. Supervisor Theobald stated that the Planning board did not issue a recommendation and posed several questions that need to be answered. Supervisor Theobald requested that the Town Board give their questions and comments on the proposed 3Gi inland port to Attorney Frateschi.

There being no further business to come before the Board, upon motion duly made by Councilor Green and seconded by Councilor Kriesel the Board voted unanimously to adjourn regular session at 8:50 PM to enter executive session to discuss pending litigation.

Ayes: Supervisor Theobald, Councilor Green, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel

Nays: 0 All in Favor. Motion Carries.

Respectfully Submitted by:

Allison A. Weber  
Town Clerk

**EXECUTIVE SESSION MEETING MINUTES**

**Executive Session**

**February 12, 2020**

There being no further business to come before the Board, upon motion duly made by Councilor Deer and seconded by Councilor Kriesel, the Board unanimously voted to adjourn the executive session at 9:25 PM.

**The Town Board Re-entered Regular Session at 9:25 p.m.**

Upon motion duly made by Councilor Green and seconded by Councilor Kriesel, the Board unanimously agreed to adjourn at 9:25 PM.

Submitted by:  
Ann Oot  
Town Manager