

MINUTES  
TOWN BOARD  
March 24, 2021

The Town of Manlius Town Board live streaming from their homes, with Supervisor Edmond Theobald presiding and the following Board members present:

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

The following Town Officers were present:

Tim Frateschi, Attorney for the Town  
Mike Crowell, Police Chief  
Doug Miller, Town Engineer  
Randy Capriotti, Director of Codes  
Allison A. Weber, Town Clerk  
Rob Cushing, Highway Superintendent  
Ann Oot, Town Manager

Virtual Meeting Attendees: Grant DeBruin, Tom Kinsella, Couch White, Ed Davidson, Matthew Napierala, David Muraco, Alex Muraco, Mark Arbon, Brenda Botbyl-Velez, Stacy Larkin

**1. Introductions**

Supervisor Theobald introduced the Town Board Members and Town Officers that were in attendance.

**2. The Pledge of Allegiance**

The Town Board recited the Pledge of Allegiance. Supervisor Theobald, called the meeting to order at 6:30 pm.

**3. Open Podium**

Grant DeBruin, 223 McClennan Dr. Fayetteville requested that the new streetlight that was installed near his home be altered as it shines too much light into his home. Mr. DeBruin stated that he has already spoken with Town Officials and they are handling the matter.

**4. Approval of Minutes – March 10, 2021**

Councilor Green made a motion, seconded by Councilor Bollinger, to approve the minutes of March 10, 2021 as submitted by Town Clerk Weber.

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

Nays: 0

All in Favor.

Motion Carries.

**5. Approval of Abstract # 6**

Councilor Bollinger made a motion, seconded by Councilor Green, to approve Abstract # 6 as submitted by Town Clerk Weber.

TOWN OF MANLIUS  
Fund Summary  
Abstract # 6 - 2021

CODE	FUND	TOTALS
A	General Fund Townwide	\$52,911.60
B	General Fund Town	\$1,622.10
CM1	Police Trust	\$9,570.28
DA	Highway Fund Townwide	\$30,151.59
SR1	Manlius Trash District	\$112,500.67
SR2	Manlius Res Brush District	\$12,534.33

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

Nays: 0

All in Favor.

Motion Carries.

**6. Presentation – Zone Change – TH Kinsella CA (Commercial District) to NRRD (Natural Resource Removal District) for 091.-02-12.0, 091.-02-14.0, 091.-02-10.1, 091.-02-07.1, 091.-02-10.3 and 091.-02-8.0.**

Tom Kinsella gave a presentation on the proposed zone change. Mr. Kinsella is requesting that 248.96 acres be rezoned from Commercial A (CA) and Restricted Agricultural (RA) to Natural Resource Removal District (NRRD) to permit the excavation and quarry. Some of the points Mr. Kinsella spoke about were.

1. The uses for the materials such as crushed stone, sand and gravel.
2. Local and notable projects that quarry materials have been utilized & community involvement.
3. Sustainability of the quarry.
4. Fifty-year history of the quarry.
5. Geology, landmass, location of the proposed quarry.
6. Site Access.
7. What will happen when mining is complete at the site.
8. The required approvals to move forward with the proposed quarry.

Supervisor Theobald stated he would like to keep the discussion open on the quarry zone change and gather questions for the applicant.

Attorney Frateschi reviewed the zone change process for this proposal should the Town Board decide to move forward:

1. The Town Board must determine if they want to change the zoning from CA to NRRD.
2. If the zone change is granted the applicant would then start the permit process.
3. The SEQRA process would begin. Attorney Frateschi discussed the Town Board's role in SEQRA and the determination of the environmental impact of the project.

Attorney Frateschi requested that the Town Board can provide their questions and concerns in writing and he will submit them to the applicant for response.

Councilor Deer spoke about getting any questions/concerns from the Town Planning Board and residents. Councilor Deer proposed an informational meeting for residents in May.

The Town Board tabled the matter for further review and further questions.

**7. Presentation – Zone Change of RA (Residential Agricultural District) to CA (Commercial District) for 112 South Burdick St. (tax map # 092.-07-02.1) Empire Management of CNY Inc.**

Matt Napierala, Napierala Consulting reviewed the application for a zone change for the property located at 112 South Burdick St. to change the zoning from Restricted Agricultural (RA) to Commercial A (CA).

David Muraco, Empire Management of CNY, Inc., stated the building located on the parcel would be fully restored and used only for his business office space with six employees. Mr. Muraco stated he needs the restrictive covenant in the deed removed before he can close on the property.

Mr. Napierala stated the property was granted a zone change from RA to CA in 2003 and the covenant states that if the current use ceased the property would revert to the original RA zoning classification.

Attorney Frateschi asked that the covenant document be sent to him for his review.

The Town Board discussed the matter and asked the applicant if they would consider the RM (Residential Multiple-Use District) zoning classification rather than the requested Commercial A zoning classification.

The applicant and his team took a brief recess to review the RM zoning classification and determine if that would fit the proposed use. The applicant returned to the meeting and confirmed the application change to RM zoning after the public hearing amending the zoning code to allow certain animals to be kept in R-1.

**8. 6:45 PM Continuation – Public Hearing – Amending Various Sections of the Zoning Code to Allow Certain Animals to be Kept in the R1 District as Domestic Pets or Comfort Animals**

The Town Board reviewed the resident letters that had been received and discussed the benefits and detriments of the proposed local law.

Attorney Frateschi stated if the proposed local law were passed, residents will need to check with their neighborhood homeowners association and confirm that chickens and small animals are allowed in their own neighborhood.

Brenda Botbyl-Velez , Manlius, spoke in support of chickens and she feels it may be the older generation that is leery of the ideal of backyard chickens.

Stacy Hillanbrand, Manlius, shared her negative experience with a neighbor's chickens. Ms. Hillanbrand stated that the chickens ran free, did damage to gardens, made noise at all hours and an increased the number of foxes and coy dogs in the area. Ms. Hillanbrand stated chickens should be kept in agricultural areas, not residential.

Town Clerk Weber read aloud the following comments that were submitted in the Q&A from an Anonymous Attendee:

- It would be nice to include R-2 or do like the Village of Fayetteville and issue permits for people that are in R-2?
- Myself and several of my neighbors in R-2 want to be able to have chickens, also.
- Timeline, how long would it take to come up with a solution for R2 zones?
- Animals like foxes already exist in our area even without the chickens.
- So, if a homeowners association is accepting of chickens in R-2... it is allowed?
- We would love to be able to have chickens in R-2. Would love to raise chickens with our children.

With there being no further comments from the public, Councilor Bollinger made a motion, seconded by Councilor Denton, to close the public hearing at 8:01 PM in the matter of proposed local law Amending Various Sections of the Zoning Code to Allow Certain Animals to be Kept in the R-1 District as Domestic Pets or Comfort Animals.

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

Nayes: 0

All in Favor.

Motion Carries.

Town Clerk Weber stated that she has spoken with Councilor Kriesel and she asked that it be noted on the record that she supports the proposed local law.

Town Clerk Weber read into the record the names of residents that submitted letters to the town board.

Pilar Figueira	Prestwick Dr.	Support
Shannon Dauksza	Hobnail	Support
Denise Hannlon	Kittiwick Run	Support
Jodi Hearn	Whistling Swan Lane	Support
Alexis Pinsky	Muscovy Lane	Support
Jennifer Connors	Muscovy Lane	Support
Mallary Whipple	Glen Eagle Dr.	Support
Gretchen Jolly	Lythim Circle	Support
Barb Wilson	Horseshoe Lane	Support
Cynthia Kelder	Edgeworth Dr.	Support
Alien Monroe	Former Resident	Support
Catherine Caldicott	Armstrong Rd.	Support
Monica Browning	Prestwick Dr.	Support
Jeff Kurtz	Verbeck Dr.	Opposed
Lisa Hall	Verbeck Dr.	Opposed
Jackie & Alan Perrin	Duvall Circle	Opposed

Theresa Muraco  
Richard Greene

Tall Oaks Dr.  
Kimry Moor

Opposed  
Opinion

Supervisor Theobald stated after reading the comments submitted for and against, he is not in support of the proposed local law.

Councilor Green stated she received many calls against the law and believes this law will be difficult to enforce. Councilor Greene stated that she is against the proposed law.

Councilor Denton gave an overview of the proposed Local Law Amending Various Sections of the Zoning Code to Allow Certain Animals to be Kept in the R1 District as Domestic Pets or Comfort Animals.

Councilor Denton made a motion, seconded by Councilor Bollinger, to declare the Town of Manlius lead agency for SEQR purposes in the matter of the proposed local law Amending Various Sections of the Zoning Code to Allow Certain Animals to be Kept in the R1 District as Domestic Pets or Comfort Animals.

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

Nays: 0

All in Favor.

Motion Carries.

## **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 approving the Local Law Amending Various Sections of the Zoning Code to Allow Certain Animals to be Kept in the R1 District as Domestic Pets or Comfort Animals.

### **Negative Declaration**

Councilor Denton made a motion, seconded by Councilor Deer, to issue a negative declaration under the State Environmental Quality Review Act.

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

Nays: 0

No Vote: Councilor Green

Motion Carries

Councilor Denton made a motion, seconded by Councilor Deer, to approve the Local Law Amending Various Sections of the Zoning Code to Allow Certain Animals to be Kept in the R1 District as Domestic Pets or Comfort Animals as prepared by the Attorney.

Ayes: Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters

Nays: Supervisor Theobald, Councilor Green 4-2. Motion Carries.

Councilor Bollinger made a motion, seconded by Councilor Green, to refer the zone change request for RA (Residential Agricultural District) to RM (Residential Multiple-Use District) for 112 South Burdick St. (tax map # 092.-07-02.1) Empire Management of CNY Inc. the Planning board for their recommendation.

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

Nays: 0 All in Favor. Motion Carries.

**9. Presentation – Zone Change of RA (Residential Agricultural District) to RM(Residential Multiple-Use Districts) for 112 South Burdick St. (tax map # 092.-07-02.1) Empire Management of CNY Inc.**

The applicant returned to the meeting and confirmed that the application would be amended to reflect a request to change the zoning to Residential Multiple-Use District (RM) zoning rather than the Commercial A (CA) zoning that was requested.

Councilor Bollinger made a motion, seconded by Councilor Green, to refer the zone change request for RA (Residential Agricultural District) to RM (Residential Multiple-Use District) for 112 South Burdick St. (tax map # 092.-07-02.1) Empire Management of CNY Inc. the Planning board for their recommendation.

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

Nays: 0 All in Favor. Motion Carries.

**10. Resolution – Adoption of the Draft Plans Pursuant to Executive Order 203 Related to Police Reform and Reinvention Collaboration.**

The Town Board discussed the draft plans presented by the Public Safety Advisory Committee and Onondaga County.

Councilor Denton made a motion, seconded by Councilor Deer, to adopt the Onondaga County Draft Police Reform Plan and the Town of Manlius Draft Police Reform and Reinvention Plan - related to Executive Order 203 as outlined in the resolution as prepared by the Attorney for the Town.

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

Nays: 0 All in Favor. Motion Carries.

Note: Town Clerk Weber asked for clarification on the motion under the Town Clerk section of the meeting.

**11. Intermunicipal Agreement for Sale of Vehicle to Village of Fayetteville - Tabled**

**12. Highway Superintendent**

Superintendent Cushing stated that the trucks awarded through the recent bid process will not be available as soon as needed.

Superintendent Cushing stated that he would like to prepare a mini bid for other trucks that dealers may have on their lots available for purchase. Superintendent Cushing stated that he would bring the results back to the Town Board for approval.

### **13. Planning & Development**

Randy Capriotti, Director of Codes gave the following update:

1. The construction of the dental office on N. Burdick St. is ahead of schedule.
2. Building permits applications are increasing as the building season starts.
3. Pools permit applications have increased in March.

Director Capriotti stated that he will be attending a two-day conference for codes training this week.

Town Engineer Miller stated the deadline for the bids on Innsbruck Dr. and Sabre Lane projects has been extended by a week due to requests from the bidders.

### **14. Attorney – No New Business**

### **15. Town Clerk**

Town Clerk Weber requested clarification on the resolution for the adoption of the police and reinvention plan. Town Clerk Weber asked if the resolution passed previously was to adopt the draft Onondaga County plan and draft Town of Manlius plan as outlined in the resolution as presented by the Attorney for the Town. Councilor Denton answered yes.

Town Clerk Weber stated she has had requests to access the recordings of the town board and planning board meetings. Town Clerk Weber stated that she has attached the recording of the meetings to the agenda center on the town website.

### **16. Police Chief**

Chief Crowell gave the following report:

1. Two new police officers are starting the police academy.
2. The hiring process for a vacant police officer position is continuing. The third candidate should be attending the Oswego Police Academy.
3. Chief Crowell stated he attended the virtual CALEA conference this week. Chief Crowell stated he and will make his presentation to the CALEA council tomorrow reaccréditation for the next four years.

### **17. Town Manager – No New Business**

### **18. Committee Reports**

Sustainable Manlius

Councilor Deer stated he is presenting a resolution on behalf of Councilor Kriesel recognizing April as Earth Month in the Town of Manlius. Councilor Deer stated that Sustainable Manlius will hold EarthFest which will consist of five webinar events on each Thursday at 7:00 PM to raise awareness in the town.

Councilor Deer made a motion, seconded by Councilor Waters, to adopt the resolution recognizing April as Earth Month in the Town of Manlius as presented.

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

Nays: 0

No Vote: Councilor Green

All in Favor. Motion Carries.

Councilor Deer discussed a partnership with Central New York Regional Planning and Development Board to meet certain requirements for the Climate Smart Communities Program which will aid the Town in obtaining grants.

Councilor Deer made a motion, seconded by Councilor Bollinger, to enter into an agreement with the Central New York Regional Planning and Development Board to do a community greenhouse gas emissions inventory.

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

Nays: 0 All in Favor. Motion Carries.

Councilor Deer made a motion, seconded by Councilor Waters, to enter a partnership with the Heat Smart CNY and their partner companies on the NYSERDA community campaign for clean heating and cooling and energy efficiency.

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

Nays: 0 No Vote: Councilor Green

All in Favor. Motion Carries.

Councilor Deer made a motion, seconded by Councilor Bollinger, to enter into a partnership with Omni Renewables on the community campaign for community solar.

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

Nays: 0 No Vote: Councilor Green

All in Favor. Motion Carries.



Attorney Frateschi asked if there would be any cost associated with these agreements. Councilor Deer answered no cost just a partnership.

Communications

Councilor Deer presented an agreement with Civil Space for an online engagement tool that will enhance the website and help facilitate communications with residents. Councilor Deer stated that this purchase was budgeted for.

Councilor Deer made a motion, seconded by Councilor Bollinger, to authorize the supervisor to sign the agreement with Civil Space.

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

Nays: 0 No Vote: Councilor Green

All in Favor. Motion Carries.

**19. Supervisor**

Councilor Bollinger made a motion, seconded by Councilor Denton, to accept the Supervisor's monthly report for February 2021 as presented.

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

Discussion: Councilor Green stated that she had not received the report.

Nays: 0 No Vote: Councilor Green

All in Favor. Motion Carries.

**20. Adjournment**

There being no further business to come before the Board, upon motion duly made by Councilor Green and seconded by Councilor Deer the Board voted unanimously to adjourn regular session at 8:45 PM.

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

Nays: 0 All in Favor. Motion Carries.

Respectfully Submitted by:

Allison A. Weber  
Town Clerk