

MINUTES  
TOWN BOARD  
May 27, 2020

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  
Katelyn M. Kriesel, 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	

**1. Introduction to Join the Virtual Town Board Meeting**

Introduction of Zoom Meeting Presenters: Drazen Gasic, LaBella Associates. Andrew Day, Source Renewables. Don Hoefler, LaBella Associates. Scott Dumas, Scott Freeman, Chris Danaher.

Attendees from Zoom and Facebook: Marsha Philips, Patricia Schmidt, John Rose, Chris Carrick, Sandy Schepp, Mike Nesci, Cheryl Matt, Rebecca Resig, Mark Lavine, Thomas M. Robertson, Leisha Dukat, Andria Costello Staniec, Joe Fernandez, Patty Ann, Lhee Purugganan Matundan.

**2. The Pledge of Allegiance**

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

**Moment of Silence**

Supervisor Theobald held a moment of silence for William “Bill” Barrett who served as Manlius Village Justice since 2011. Supervisor Theobald shared kind remarks about Village Justice Bill Barrett.

**3. Approval of Abstract # 10**

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



impact. After further discussion, the Board agreed that there would be no significant environmental impact by approving the Application for a Special Permit for the Solar Array on Taft Road, E. Syracuse as submitted by Taft Road Solar, LLC.

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

Nayes: 0 All in Favor. Motion Carries

Councilor Bollinger made a motion, seconded by Councilor Kriesel, to declare the Town of Manlius lead agency for an unlisted action for SEQR purposes in the matter of the Application for a Special Permit for the Solar Array on Taft Road E. Syracuse as submitted by Taft Road Solar, LLC.

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Kriesel made a motion, seconded by Councilor Green issue a negative declaration for SEQR purposes in the matter of the Application for a Special Permit for the Solar Array on Taft Road E. Syracuse as submitted by Taft Road Solar, LLC.

Ayes: Supervisor Theobald, Councilor Green, Councilor Bollinger, Councilor Denton, Councilor Deer, Councilor Waters, Councilor Kriesel Special Permit for Taft Road Solar, LLC, Taft Rd., E. Syracuse.

Nayes: 0 All in Favor. Motion Carries.

Councilor Kriesel made a motion, seconded by Councilor Green approve the Special Permit for the Solar Array on Taft Road E. Syracuse as submitted by Taft Road Solar, LLC for a period of 7 years as stated in the resolution prepared by the Attorney for the Town.

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

Nayes: 0 All in Favor. Motion Carries.

**5. Public Hearing – Proposed Local Law to Amend Sections of Local Law 2016-8 Regarding Solar Photovoltaic Systems**

Town Clerk Weber stated that there are no additional comments from the public at this time through mail, phone, email, and she will continue to monitor Facebook until the close of the public hearing.

Councilor Kriesel made a motion, seconded by Councilor Denton, to Close the public hearing at 7:04 PM in the matter of the proposed local law to Amend Sections of Local Law 2016-8 Regarding Solar Photovoltaic Systems

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Kriesel reviewed the proposed local law to amend sections of Local Law 2016-8 Regarding Solar Photovoltaic Systems. Councilor Kriesel stated that the amendment will change two parts of the existing code.

- Adopt the unified solar permit – which requires the details of solar arrays to ensure the systems are safe.

- To remove the requirement for fencing around a solar array.

Councilor Kriesel made a motion seconded by Councilor Denton to approve local law 2020-3 to Amend Sections of Local Law 2016-8 Regarding Solar Photovoltaic Systems.

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

Nayes: 0 All in Favor. Motion Carries.

**6. Public Hearing – Zone Change for 5538 N Burdick LLC, from RA to RM**

Councilor Bollinger made a motion, seconded by Councilor Green, to waive the reading of the public notice in the matter of the Application for a Zone Change as submitted by 5538 N Burdick LLC to change the zoning at the parcel located at 5538 N. Burdick Street from RA to RM.

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Bollinger made a motion, seconded by Councilor Kriesel, to open the public hearing at 7:07 PM in the matter of the Application for a Zone Change as submitted by 5538 N Burdick LLC to change the zoning at the parcel located at 5538 N. Burdick Street from RA to RM.

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

Nayes: 0 All in Favor. Motion Carries.

Scott Dumas stated that there have been no changes in the plan since the presentation given to the Town Board on April 22, 2020. Mr. Danaher stated they have had to take a second look at the interior spaces, needing to provide more space for social distancing.

Chris Danaher stated that the Manlius Planning Board gave a positive recommendation to move forward with the zone change process. Mr. Danaher gave a brief review of the project.

- Reviewed the neighboring properties and their zoning stating that the property to the east of this property is zoned RM.
- 2.42 acres of land with a single-family house on it and the property backs to the Erie Canal. The single-family home will be taken down.
- A preliminary site plan has been provided for the Board's review.

Supervisor Theobald asked what the project screening is that was mentioned in the OCPB report. Town Engineer Miller explained the developer had mentioned:

- Putting in some planting with maple trees and green to enhance the curb appeal.
- Applicants would like to bring the backdrop of the Erie Canal into the whole practice.
- It was recommended to bank some land for parking spaces for possible use in the future.
- Stormwater and wastewater management plans are being reviewed.

Councilor Deer stated he heard from residents of a concern about traffic in the area. Councilor Deer stated this will need to be addressed at site plan review if the project moves forward.

Councilor Bollinger asked for a traffic count of the number of cars that would go in and out of the facility per hour.

Town Clerk Weber read comments from residents:

Marsha Philips objects to the project because of:

1. Concerned about wildlife in the area, flooding, traffic, and noise from construction.
2. Do not need to turn Fayetteville into an Erie Blvd.

Patricia Schmidt objects to the project because of:

1. Traffic issues around Towne Center and neighborhoods already bad and will be worse with more traffic. Senior citizens in the area would find driving more difficult with increased traffic.
2. Too near the quarry where a future park or residential area could develop.
3. There are too many dentists in the area there is not a need.

Ms. Schmidt asked the board to please consider turning down this project.

John Rose opposed the project because of:

1. Over development and environmental issues. Project will contribute to an increase carbon footprint.
2. Additional traffic will be added to an already busy N. Burdick St. and make it less safe for walkers and joggers.
3. Over saturation of dentist offices, no less than 30 dentists in 2 ½ miles of location.

Mr. Rose would like to see land used as a green space.

Chris Carrick stated he believes the speed limit on N Burdick St. is 45mph, would the town consider reducing the speed where there is a curve in the road near the project.

Highway Superintendent Cushing stated the town would have to petition the county to lower the speed on the road.

Scott Freeman gave a review of the completed traffic study done for the project. The county after their review of the plan stated the location of the proposed driveway would provide adequate and safe distance turning in and out.

Scott Dumas stated construction should be completed in about 6 months from obtaining permits. Lighting design intent is to have 2 light fixtures in the parking lot where the light dissipates before it hits the property line in the front with minimal wall pack lighting on the building.

Engineer Miller responded to Councilor Waters question about construction impact on the wildlife and environment. Mr. Miller stated he was not aware of issues with wildlife or flooding from local construction projects in this area.

There was a brief discussion about green space and a comprehensive plan to guide new development in the town.

Sandy Schepp, Facebook attendee asked: If the project property is the same property that was denied 10 years ago for residential apartments? Supervisor Theobald stated the apartment project that was denied was next door to the current application.

Chris Danaher stated the traffic study was done prior to the pandemic lockdown.

Councilor Kriesel stated that she is not in favor of the project in this location. Councilor Kriesel is concerned with the traffic and development of what could be an asset of greenspace in the town.

Councilor Bollinger made a motion, seconded by Councilor Green, to adjourn the public hearing in the matter of the Application for a Zone Change as submitted by 5538 N Burdick LLC to change the zoning at the parcel located at 5538 N. Burdick Street from RA to RM until June 10, 2020.

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

Nayes: 0

All in Favor.

Motion Carries.

**7. Independent Redistricting Resolution**

Councilor Deer stated the Onondaga County Legislature will be voting on an amendment to the County Charter to enact fair re-districting through an independent Citizens Re-Districting Commission on June 2, 2020. Councilor Deer is asking the Manlius Town Board to show their support by approving the Independent Redistricting Resolution for voting districts in the County.

Councilor Deer made a motion, seconded by Councilor Waters, for the Town to support an amendment to the County Charter to enact fair re-districting through an Independent Citizens Re-Districting Commission as written in the Independent Redistricting Resolution as presented.

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

Nayes: Supervisor Theobald, Councilor Green

Motion Carries: 5 - 2

**8. Barton and Loguidice Draft Agreement**

Councilor Bollinger stated the Town issued an RFP to provide engineering services for a specific project for the possibility of a water district. Councilor Bollinger stated it would be an inter-municipal agreement with the Town of Sullivan to run water along Salt Springs Rd. Councilor Bollinger stated that of the four responses to the RFP, Barton & Loguidice was chosen and they have submitted a Draft Agreement.

Councilor Kriesel made a motion, seconded by Councilor Waters, to authorize the Supervisor to sign the agreement with Barton and Loguidice contingent on the Town of Sullivan agreeing and signing.

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

Recuse: Supervisor Theobald

Motion Carries: 5 – 1

**9. 457 Deferred Compensation Plan Extension**

Town Manager Oot stated the deferred compensation plan is a voluntary retirement savings plan for employees of the Town of Manlius. Town Manager Oot stated the Town is required to seek bids for the plan every five-years. The current plan with Lincoln Financial is due to expire in April but because of the pandemic the bidding process has been interrupted. Town Manager Oot stated that according to the current plan the Town can extend for one year which is recommended. Town Manager Oot stated if the Town accepts the extension, the Town will be able to put the plan out to bid in 2021 for a new five-year term.

Councilor Kriesel made a motion, seconded by Councilor Waters, to extend the current retirement savings plan for a 1-year period and issue an RFP in 2021 for a new five-year plan.

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

Nayes: 0

All in Favor.

Motion Carries.

**10. Toshiba Lease and Maintenance Agreement**

Town Manager Oot stated the Toshiba Lease is for two copiers at Town Hall. Town Manager Oot stated the agreement would be for 49-months at a lower rate than the current plan at \$408.00 per month.

Councilor Green made a motion, seconded by Councilor Denton, approve the two copiers at town Hall lease agreement with Toshiba at \$408.00 per month for 48 months.

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

Nayes: 0

All in Favor.

Motion Carries.

### **11. Correspondence/New Business**

#### **12. Highway Superintendent**

Highway Superintendent Cushing stated he had recently met with John & Darcie Prizner of Hale Rd. about problems they are having with people parking along their road. Superintendent Cushing stated that in response to this meeting he would like to request that “No Parking” signs be placed on Hale Rd.

Councilor Water stated they will set a date for a public hearing for “No Parking” signs be placed on Hale Rd. at the June 10, 2020 Town Board Meeting.

Highway Superintendent Cushing reported that the Consolidated Local Street and Highway Improvement Program (Chips) funding from the State is moving slowly and may impact work this season.

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

Town Engineer Miller gave updates:

- Planning & Development department stated building permit application numbers are up.
- The Planning Board is seeing an increase in activity.
- Sampling at Landfill will start in conjunction with Town of DeWitt.
- North Manlius Rd. needs repairs in Limestone Creek through the Army Corp and DEC permit.
- MS4 Annual Report Public Meeting will be a 12:00 PM on May 28<sup>th</sup>.
- Sending to Councilor Kriesel a draft RFP for power purchase agreement for solar for review.

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

#### **15. Town Clerk** – No New Business

#### **16. Police Chief**

- All employees at Police Department are healthy.
- The office is on Phase two for reopening.
- Residents are doing well with masks and distancing.
- Finishing up background checks on transfer employee.
- Renovations on the building is moving forward.
- Working on the final figures for the temporary office trailer.
- The Village of Manlius informed us of unforeseen expenditures of \$17,000 for IT in the renovation.

#### **17. Town Manager**

Town Manager Oot stated the current Trash & Brush contract with Syracuse Haulers for 2017-2019 was extended for one-year by the board in October 2019 as provided for in the contract. At this time, the board has the option to extend the contract for one-year or put the contract out for an RFP. Town Manager Oot





Leisha Dukat, Facebook Attendee, stated that: I think, even when Town Board goes back to meeting in person, a live version should always be available to help more of community get involved. Everyone could still go live on zoom and meet in person as a board. Allows more citizens to be involved.

Andria Costello Staniec, Facebook Attendee, stated that: Thank you, John Deer for raising this issue?

Thomas M. Robertson, Facebook Attendee, stated that: I agree with Leisha. Great way to make accessible to the Public.

Cheryl Matt, Facebook Attendee, stated that: 15 of the 17 County Legislators have already signed the pledge for fair redistricting, including our own Legislator in District # 10.

Mark Lavine, Facebook Attendee, stated that: Being gated for protection of the solar array.

Mike Nesci, Facebook Attendee, stated that: Why were homes reassessed during the pandemic?

Joe Fernandez, Facebook Attendee, stated that: Was the traffic study done during the lockdown or was it done before traffic levels dropped?

Thomas M. Robertson, Facebook Attendee, stated that: Great work

Patty Ann, Facebook Attendee, stated that: Revenue?!? Is that a joke! Our property taxes are nothing more than a loosely substantiated guesstimate with randomized increases with no basis in logic or reason!

Lhee Purugganan Matundan, Facebook Attendee, stated that: Lhee Matundan is watching with you!