

MINUTES  
TOWN BOARD  
August 26, 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	

Other persons attending in Zoom (Names Listed as Registered): MB, Warren Linhart, Brad Suave, Debi Witzel, Tony Wadell, Michael Smith, Jason Catlino, Collen Tadeux, ABL, Carol Galway, Shari Landers, Trevor, Rachel Littlefield, Brian, Ellen, Jim Brule.

**1. Introductions**

Supervisor Theobald and the Town Board introduced themselves. Supervisor Theobald introduced all other Town Officials.

**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. Approval of Minutes – July 22, 2020 and August 12, 2020**

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

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

Nays: 0

All in Favor.

Motion Carries.

Councilor Green made a motion, seconded by Councilor Denton, to approve the minutes of August 12, 2020 as submitted by Town Clerk Weber.

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

Abstain: Supervisor Theobald

Motion Carries.

**4. Approval of Abstract # 16**

Councilor Denton made a motion, seconded by Councilor Bollinger, to approve Abstract # 16 as submitted by Town Clerk Weber.

TOWN OF MANLIUS  
Fund Summary  
Abstract # 16 - 2020

COD	FUND	TOTALS
E		
A	General Fund Townwide	\$52,928.56
B	General Fund Town	\$4,836.00
DA	Highway Fund Townwide	\$4,310.99
DB	Highway Fund Town	\$93,182.40
SR1	Manlius Trash District	\$102,493.16
SR2	Manlius Res Brush District	\$11,672.50
SS1	Manlius Con Sewer District	\$1,143.77

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 2020-8 for a Zone Change of RM to CA for J. S. Penizotto Real Estate LLC, 4581 Enders Rd., Manlius NY (tax map # 114.-01-13.1).**

The public hearing for the proposed zone change was held prior to the public hearing for the SRO Contracts to accommodate a scheduling conflict.

**SEQR**

Councilor Bollinger made a motion, seconded by Councilor Green, to declare the Town of Manlius lead agency for SEQR purposes in the matter of the proposed local law 2020-8 for a Change of Zone from R-M to C-A for J. S. Penizotto Real Estate, LLC, 4581 Enders Rd., Manlius NY (tax map # 114.-01-13.1)

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

Nayes: 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 Local Law 2020-8 for a Change of Zone from R-M to C-A for J. S. Penizotto Real Estate, LLC, 4581 Enders Rd., Manlius NY (tax map # 114.-01-13.1)

Councilor Bollinger made a motion, seconded by Councilor Waters issue a negative declaration for SEQR purposes in the matter of the proposed local law 2020-8 for a Change of Zone from R-M to C-A for J. S. Penizotto Real Estate, LLC, 4581 Enders Rd., Manlius NY (tax map # 114.-01-13.1)

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

Nayes: 0 All in Favor. Motion Carries.

John Langey, Attorney for the applicant, reviewed the proposed zone change application.

Greg Sgromo, Engineer for the applicant, spoke briefly about the project but was difficult to hear due to connection issues.

Mr. Langey discussed the recommendation from the Town of Manlius Planning Board and the review by Onondaga County Planning Board.

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 2020-8 for a Change of Zone from R-M to C-A for J. S. Penizotto Real Estate, LLC, 4581 Enders Rd., Manlius NY (tax map # 114.-01-13.1).

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 Green, to open the public hearing at 6:48 PM in the matter of the proposed Local Law 2020-8 for a Change of Zone from R-M to C-A for J. S. Penizotto Real Estate, LLC, 4581 Enders Rd., Manlius NY (tax map # 114.-01-13.1).

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

Nayes: 0 All in Favor. Motion Carries.

Supervisor Theobald stated that the Town Board has received numerous letters and emails in support of the project.

With there being no further comments from the public, Councilor Bollinger made a motion, seconded by Councilor Kriesel, to close the public hearing at 6:50 PM in the matter of proposed Local Law 2020-8 for a Change of Zone from R-M to C-A for J. S. Penizotto Real Estate, LLC, 4581 Enders Rd., Manlius NY (tax map # 114.-01-13.1).

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

Nayes: 0 All in Favor. Motion Carries.

Attorney Frateschi stated that the Planning Board would like to ensure that the access driveway for the daycare does not go from R-m to C-a. The board would like the second lot to have split zoning and have part of the lot zoned R-m which is a less intense zoning classification. The split zoning lot would cover the driveway.

Attorney Frateschi and Director Capriotti reviewed the allowed uses in the Commercial A Zoning Classification.



countless others absolutely adore our school officers. FMSD and the Board of Ed is absolutely making the right choice adding more. The process was thorough, and we fully support this decision. Officer Filip at Enders and Officer Golden at the HS are amazing with the children! For all the reasons Ms. Mims shared, and more. The positive relationships they make are ones that last a lifetime...my oldest graduated in 2019 and still seeks Officer Golden out. The district would greatly benefit from hiring more officer so that one is at each school.

Town Clerk Weber indicated that she was unable to read the comments on Facebook due to a technical issue.

Councilor Deer reported that there were two comments on Facebook in support of the SRO program.

Amy Bleier-Long, Zoom Attendee, asked if the contract length was 1 or 2 years.

Dr. Tice explained that the contract is one year and has been corrected to reflect that. Dr. Tice stated that the Board of Education approved the draft contract in June and the amended contract will be returned for Board of Education approval.

Councilor Deer asked if there has been any clarification regarding the confidential counseling? Dr. Tice stated that the SPO contract language will be amended to reflect the language in the SIRO contract.

Ellen McCoy, Zoom Attendee, I submitted a comment regarding this but why is the Public Safety Advisory Committee not being involved in this decision? This committee was mandated to be convened by Governor Cuomo, so why is this contract being entered into without the review and plan of the Advisory Committee first?

Councilor Denton stated that the Public Safety Advisory Committee has been convened just to address Governor Cuomo's Executive Order and this program is handled by the school district.

Councilor Deer read aloud comments from Facebook in support of the SPO program. The comments included statements about the positive relationships that the officers form with the students and the added safety benefits of the officers being on campus during drop-off/pick-up.

Chief Crowell reviewed the administration of the program and stated that the SROs will be reporting to the existing SIROs. Chief Crowell stated that the school officers to not get involved in school discipline matters.

Questions were submitted on Facebook regarding the difference between SROs and SIROs and the number of officers that would be added. 47:09

Vivienne Catalino, Mott Road Elementary, stated that she would like to have Officer Golden at her school because he has long lasting relationships with the students at school.

Jason Catalino, Board of Education Member, spoke in support of the SRO/SIRO program and the contract. Mr. Catalino stated that anything that can be done to foster positive relationships with law enforcement and fire departments is beneficial.

Ms. Bleier-Long asked for clarification on section 7.2 - how the police dept. can "enlist other law enforcement agencies" - provide a specific hypothetical example of where another agency would be called in, why and which agency?

Dr. Tice stated that Section 7.2 refers to multi-agency response and gave examples of when multi-agency has been required.

Discussion ensued regarding mutual aid responses and when a mutual aid response may occur.

Councilor Denton requested that comments that were received by the public be forwarded to the FM Board of Education.

Ms. Bleier-Long asked for clarification on the group of people that would be convened to evaluate the success of the program. Ms. Bleier-Long asked how the board will ensure that the candidates selected are a diverse mix of class, race, ages, etc.?

Dr. Tice stated that the safety task force will be reconvened every year and discussed the make-up of the safety task force. Dr. Tice discussed the different things that the safety task force reviewed and the long term goals that were reviewed.

Councilor Kriesel stated that the Town did receive several letters of support for expanding the SIRO/SPO program but the Town also received several letters against having police officers in the school entirely. Councilor Kriesel stated that some of the letters indicated that there were enough officers in the school and the program need not be expanded.

Councilor Kriesel stated that it is her understanding that the Town Board is reviewing the contract and not the merits of program itself. Councilor Kriesel stated that she is a parent in the school district and a resident of the Village of Manlius. Councilor Kriesel stated that she has heard a great deal about the roles that the officers play in a student's life and asked: why do those people need to be police officers and why do they need to have guns? Councilor Kriesel asked why couldn't these roles be filled by someone other than police officers?

Councilor Kriesel stated that the Jamesville DeWitt School District just voted to remove their only officer in the schools. Councilor Kriesel asked why the funding couldn't be directed to guidance counselors and social workers? Councilor Kriesel stated that the main reason for having officers in the school is for safety and she has heard more about the officer building community which could be accomplished another way.

Tony Waddell, Zoom Attendee, stated that he believes the addition of a Resource Officer from the Manlius Police Department will continue to be beneficial to our school district. The Manlius Police Department has a number of fine officers that represent their department and our community well. Not to mention they add a level of safety and comfort during the times we live in. These individuals offer a service that normal individuals such as counselors and teachers cannot and are not trained or equipped to handle. From Officer Golden, to Officer Philip, Lesperance, and Officer Palmer. Mr. Waddell stated that he has had numerous interactions with the SIROs and each and every time it was a complete joy. He has seen the positive impact the officers have on our youth and the positive interactions children have with them. That alone is proof that this initiative is fostering long lasting and positive community relations with our men and women in uniform and where best to begin than with our children in making positive future change.

Warren Linhart, Zoom Attendee, asked what the SPOs will be paid? Dr. Tice stated that the cost of the SPO is half of the SIRO officer salary.

Councilor Deer stated that there were more positive comments on Facebook about the program.

With there being no further comments from the public, Councilor Kriesel made a motion, seconded by Councilor Bollinger, to close the public hearing at 7:35 PM in the matter of the Part Time Special Patrol Officer Agreement between the Town of Manlius and the Fayetteville Manlius School District.

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

Nayes: 0

All in Favor.

Motion Carries.

Chief Crowell discussed the SIRO program in the Fayetteville Manlius School District. Chief Crowell stated that this program is unique and was the first of its kind locally. Chief Crowell stated that police officers offer a unique perspective on life as a current officer or retired.

Councilor Kriesel asked if the officers would have the authority to arrest a student? Chief Crowell answered yes.

Councilor Kriesel stated that there are conversations happening in our country and our community about policing. Councilor Kriesel stated that even though there are different opinions on the program she believes that everyone involved had out communities' best interest at heart and everyone prioritize safety. Councilor Kriesel stated that there are different beliefs on how the community can achieve safety and many communities are having conversations about over-policing.

Councilor Kriesel stated that the Town Board is tasked with approving the contract and not the program. Councilor Kriesel asked that everyone be mindful of the trend that is being set in the FM School district and sometimes there are roles that are not appropriate for police officers. Councilor Kriesel discussed the movement in the Syracuse City School District to remove police officers from the school entirely. Councilor Kriesel stated that she is opposed to continually second guessing why our tax dollars are spent on expanding the policing program. Councilor Kriesel stated the community needs to continue to evaluate this program and is this the directions we want to be headed as a community.

Ms. Mims stated that she has a unique perspective on the matter as a teacher in the Syracuse City School District and a black woman in the community raising black children in the FM School District. Ms. Mims stated that the Syracuse City Districts SIRO program is different from the FM School districts program. Ms. Mims stated that while there is support to have the police officers removed from the Syracuse City School District there is also support from the teachers who want the officers in the schools. Ms. Mims stated that this decision has to be about what is best for FM. Ms. Mims stated that it is a safety matter and in order for the officers to be truly effective they have to build relationships with the students in the schools. Ms. Mims discussed how the FM school district supports the student and how the officers are integrated in the community.

Councilor Kriesel stated that her daughters are also black and she wished that there were more opportunities for children of color to create relationships with teachers / school leaders of color. Councilor Kriesel stated that Officer Golden brings that opportunity to the FM school district as a man of color. Councilor Kriesel discussed her experience in the school district with Officer Golden. Councilor Kriesel stated that she is learning through this process that policing is not a black and white issue and you can never say that you are pro-police or anti-police. Councilor Kriesel stated that we are building a community that uilds a sense of security.

Ms. Mims stated that the FM School Board would like to be involved in the different matters that the Town Board are working on and the school board can offer a perspective on what's happening in the school district.

Dr. Tice stated that the school has a balanced program that includes mental health support in addition to addressing safety and security.

Councilor Waters stated thanked everyone that participated and offered opinions. Councilor Waters stated she would love to continue to discuss all initiatives throughout the town with the FM board of Education and she is encouraged to see young people participating in government. Councilor Waters stated that she

would like to continue to support the relationship between the school and the police department. Councilor Waters stated that she is glad that it is a one-year contract so the Town can continue to review the program.

Councilor Green stated that the Town of Manlius Police Department and the FM School Board have enjoyed a great relationship for many years. Councilor Green thanked the FM Board of Education for choosing the Town of Manlius Police Department to provide the SIRO/SRO program as they could have chosen other agencies.

Councilor Green made a motion, seconded by Councilor Bollinger, to approve the Part Time Special Patrol Officer Agreement between the Town of Manlius and the Fayetteville Manlius School District for a term of one year and removing the 'confidential counseling of students' from the agreement.

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

Nays: 0

All in Favor.

Motion Carries.

#### **5. Correspondence/New Business**

#### **6. Highway Superintendent**

Highway Superintendent Cushing stated that the paving projects in the town are winding down and the Town has submitted paperwork for CHIPS funding.

#### **7. Planning & Development**

Randy Capriotti stated that the town is trying to ascertain more information on local gym re-opening requirements for inspections purposes.

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

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

#### **10. Police Chief**

Chief Crowell reported the following:

- The department has been busy last couple of weeks and he will be presenting statistical information on call volume.
- Congratulated Officer Damon on his retirement.
- He has attended his second meeting of the county-wide group on law enforcement reform and the City of Syracuse has joined the group.

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

#### **12. Town Board**

Councilor Bollinger reported:

- She attended a focus forum centered around energy efficiency and sustainability in local government.
- She is continuing to work on the Salt Springs Water District project and the commercial zoning classification project.
- She gave a brief update on the fire budget process.

Councilor Deer stated that he continues to work on transitioning the boards to meeting in person and asked for feedback from residents who have viewed the recent in person meetings.

Councilor Denton stated there will be a Public Safety Advisory Committee meeting tomorrow at 5:30 PM on Zoom.

Councilor Kriesel stated there will be a Sustainability Manlius meeting on October 1<sup>st</sup> at 7:00 PM. and provided a brief update on the landfill solar project.

Councilor Waters reported the following:

- The town will be setting a date soon for an informational meeting about Drainage Districts
- The Tree Commission is moving forward with some grant plans and there may be an opportunity to work with the Village of Manlius.
- Comprehensive Planning will hosting listening sessions to begin the process and there will be more information shared. The Comprehensive Plan does not have an executive committee and anyone who has volunteered to participate in the process will be included.

Councilor Waters acknowledged Women's Equality Day and thanked Town Historian Barbara Rivette for her writing pieces on Matilda Jocelyn Gage. Councilor Waters stated that the Town of Manlius should engage in a pay equity audit process and would like to have future conversations about the process.

### **13. Supervisor – No New Business**

### **14. Adjournment**

There being no further business to come before the Board, upon motion duly made by Councilor Green and seconded by Councilor Waters the Board voted unanimously to adjourn regular session at 8:12 PM.

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

Nayes: 0

All in Favor.

Motion Carries.

Respectfully Submitted by:

Allison A. Weber  
Town Clerk