

MINUTES  
TOWN BOARD  
October 4, 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
Absent	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. Rob Cushing, Highway Superintendent. Captain Slater.

The following Town Officers Attending Virtually: Councilor Waters.

**1. Attendees**

In-Person Meeting Attendees: Bob & Roswitha Leonardo, Fayetteville. Margaret Mulvey, Fayetteville. Erin Hanley, Fayetteville. Jack & Linda Webb, Fayetteville. Mark, Nelson, Peter and Laura Ricardo. Eric Downie Fayetteville. Chris Danaher, Fayetteville. Michael Fogel, Syracuse. Richard Konys, Fayetteville. Fr. Thomas Ryan, Fayetteville. Nancy Ferrone, Fayetteville. Johathan Karp, Cicero. Brian McAllister, Fayetteville. Anthony Rojas. Debbie & Barry Shulman, Fayetteville. Hilary Josephs, Fayetteville. Dawn Smalley, Manlius. Craig Dudczak, Fayetteville. Tom Bassett, Manlius. Jack Popper, Fayetteville. Bill Gray, Fayetteville. Casey Cleary. Tom Bassett, Manlius. Michelle Downey, Fayetteville. Bobby Linaberry, Fayetteville. Dr. Kirk Leister, Fayetteville. Kristen Leister, Fayetteville. Denise Lynch, Fayetteville. James Wilson, Fayetteville. Brian McCallister, Fayetteville. Matthew Holbach, Fayetteville. Mark Ziemba, Fayetteville.

Virtual Meeting Attendees: David Neuman, John Clark, Brody Smith, Thomas Poitras

**2. 6:30 PM The Pledge of Allegiance**

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

6:31 PM Councilor Bollinger read aloud a land acknowledgement in honor of Indigenous People Day.

**3. 6:31 PM Open Podium**

Town Clerk Weber read aloud a letter from Derek Underwood in support of Immaculate Conception School request for a School Resource Officer for the private school.

Mary Ellen & Greg Kenie, Manlius spoke in support of having a Special Patrol Officer at Immaculate Conception Schools and asked the Town Board to consider this issue.

Father Thomas Ryan, Pastor of Immaculate Conception, spoke in support of having a Special Patrol Officer at Immaculate Conception Schools and asked the Town Board to make the issue a priority.

Jonathan Karp, Cicero, spoke in support of having a Special Patrol Officer at Immaculate Conception Schools and asked the Town Board to do the right thing and make the decision.

**4. 6:44 PM Public Hearing – Zone Change – 7078 East Genesee St., Fayetteville (tax map # 092.-01-05.0) Residential 1 (R1) to Residential Multiple Use (RM)**

Mike Fogal Attorney for applicant Bottar LLC reviewed the zone change application and discussed the reasons why the RM zone would be a better fit for the Bottar Law Offices. Mr. Fogal also submitted a traffic study report for the property.

Councilor Bollinger made a motion, seconded by Councilor Kriesel, to waive the reading of the public notice in the matter of the proposed local law to approve the zone change application submitted by Bottar LLC for 7078 East Genesee St., Fayetteville (tax map # 092.-01-05.0) to change the zoning from R1 to RM.

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

Nayes: 0    All in Favor.    Motion Carries.

Councilor Bollinger made a motion, seconded by Councilor Kriesel, to open the public hearing at 6:54 PM in the matter of the proposed local law to approve the zone change application submitted by Bottar LLC for 7078 East Genesee St., Fayetteville (tax map # 092.-01-05.0) to change the zoning from R1 to RM.

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

Nayes: 0    All in Favor.    Motion Carries.

Bobby Linaberry, Bristol Dr. stated he is concerned with increased traffic and their neighborhood being used as a cut through from Rt. 92 to E. Genesee St. Mr. Linaberry spoke about his safety concerns related to increased traffic. Mr. Linaberry asked that there would be no direct road access from the business to the neighborhood.

Dr. Kirk Leister, Bristol Dr. asked that an Environmental Impact Assessment be performed to really examine the potential impacts.

Hilary Josephs, Bristol Dr., asked why the conversion of the property to a law office could not be accomplished under the R1 zoning?

Bob Leonardo, Duane Dr., spoke about how an added business in the area will increase the traffic through his neighborhood and that would be a safety issue.

Jack Webb, Duane Dr., stated that he is concerned about the four and a half acres that comes with the property and the potential that it could be subdivided, providing more space for businesses in the future.

Jack Popper, Draycott Rd., stated that he is concerned about the number of employees and clients that will be coming in and out of that location compared to the existing businesses in the area.

Kristen Leister, Bristol Rd., asked for the exact number of employees that will be employed at the law firm so that she could know what the impact on traffic will be? Ms. Leister asked the Town Board to review the zoning from Cazenovia for historic homes as an alternative to the RM zoning in Manlius.

Councilor Kriesel informed the residents concerned about the safety of walkers that could apply for a special district for sidewalks in their neighborhood.

With there being no further comments from the public, Councilor Denton made a motion, seconded by Councilor Bollinger, to close the public hearing at 7:27 PM in the matter of the proposed local law regarding the zone change application submitted by Bottar LLC for 7078 East Genesee St., Fayetteville (tax map # 092.-01-05.0) to change the zoning from R1 to RM.

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

Nayes: 0 All in Favor. Motion Carries.

The Town Board tabled the matter for further discussion.

**5. 7:30 PM Public Hearing – Zone Change of (CA to PUD) for Highbridge St. (tax map # 093.-01-05.1) Garden Park**

Chris Danaher, Attorney gave an update on the proposed project and the requested zone change to Planned Unit Development.

Anthony Rojas, Architect, reviewed the proposed site plan with the board.

Councilor Bollinger made a motion, seconded by Councilor Denton, to waive the reading of the public notice in the matter of the proposed local law to approve the proposed district plan and change the zoning from CA to PUD on the parcel located on Highbridge St. (tax map # 093.-01-05.1) called Garden Park Apartments.

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

Nayes: 0 All in Favor. Motion Carries.

Councilor Bollinger made a motion, seconded by Councilor Italiano, to open the public hearing at 7:40 PM in the matter of the proposed local law to approve the proposed district plan and change the zoning from CA to PUD on the parcel located on Highbridge St. (tax map # 093.-01-05.1) called Garden Park Apartments.

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

Nayes: 0 All in Favor. Motion Carries.

Bill Gray, Highbridge St, spoke in opposition and gave an abridged version of the document he provided to the board that fully state his concerns with the project.

Denise Lynch, Dartmoor Crossing, spoke of her concern for the increased traffic and that the building does not fit the aesthetic of the neighborhood.

James Wilson, Highbridge St., stated he is concerned with the increased traffic that the apartment complex will bring to an already busy road.

Rich Konys, Highbridge Terrace, spoke about his concerns of traffic, increased noise and the look of a four-story building which doesn't match the neighborhood aesthetic.

Laura Ricardo, Highbridge St., stated she is concerned about the vehicles coming in and out of Gramercy Circle daily as the headlights shine into her home. Ms. Ricardo is also concerned that the driveway will come out on a blind corner.

Brian McCallister, N. Burdick St., stated there are many projects be proposed in the Town and Village of Fayetteville that will impact traffic quality of life.

Peter Ricardo, Highbridge St., stated he is not in support of this project and the changes it will create in his neighborhood.

Margaret Mulvey, Highbridge St., stated she is opposed to the zone change and the construction of Garden Park. Ms. Mulvey spoke at length about how the project will bring many negative impacts to the land and existing neighborhood.

Nelson Ricardo, Highbridge St., stated he is concerned about the traffic and that the proposed design of the apartments does not match the aesthetic of the neighborhood.

Matthew Holbach, Highbridge St., stated he is not in favor of the project and the design of the building is not in keeping with the local aesthetic or charm and it makes no logistical sense.

Mark Ziemba, Highbridge St., stated he is concerned about the existing traffic and adding 70 to 80 apartments will only increase the problem.

Michelle Downey, Highbridge St., stated that a four-story building will not feel like a neighborhood or village. Ms. Downey stated that she is concerned about the amount of traffic on the street and how dangerous it is for pedestrians.

Tom Bassett, Barberry Lane, stated that if the property stays zoned as Commercial there would be the potential for more objectionable uses for the land. Mr. Bassett asked that the Town Board consider the requested zone change which would be more favorable to the area.

Rob Wilson, Fayetteville, stated that Highbridge Street is very dangerous even when he is simply crossing the street to get his mail. Mr. Wilson asked what will happen after the board gets the input from the public hearing and input from the developer?

Supervisor Deer stated the Town Board considers all the feedback and talks with the developer to see if they want to make any changes. The Town Board will make their decision on the zone change after that has taken place.

Margaret Mulvey, Highbridge St. asked if the Town Board approves the zone change will that zoning stay with the property forever? Ms. Mulvey discussed being confused by the supporting documents attached to the agenda.

The Town Board explained that Planned Unit Developments are specific to each project and do not exist unless that project is developed.

Amelia Wasiluk, Highbridge St., stated that she is concerned that an increase in population will be an increase in crime. Ms. Wasiluk also stated that she is concerned about the traffic and would like to see the area stay natural.

With there being no further comments from the public, Councilor Bollinger made a motion, seconded by Councilor Italiano, to close the public hearing at 6:49 PM in the matter of the proposed local law to approve the proposed district plan and change the zoning from CA to PUD on the parcel located on Highbridge St. (tax map # 093.-01-05.1) called Garden Park Apartments.

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

Nayes: 0 All in Favor. Motion Carries.

Anthony Rojas, Architect, stated that the architects and designers are listening to the comments and will take them into consideration to provide a community connected project.

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

8:47 Councilor Denton left the meeting.

**6. 8:50 PM Continued Public Hearing – Zone Change (R5 to PUD) – Twin Ponds, N. Burdick St.**

The public hearing was re-opened at 8:50 PM

Brian McCallister, N. Burdick St., stated that he does not understand why he is the only one in his neighborhood that gets the public hearing notices. Mr. McCallister is concerned with the existing traffic problems on N. Burdick St., crime at Towne Center, and panhandling that is

going on there. Mr. McCallister stated that approving this project will contribute to those existing problems.

Attorney Frateschi disclosed that Harris Beach represents the applicants in unrelated matters.

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

**7. 8:55 PM Local Law Amending Definitions Section and RT Zoning for Cannabis**

Councilor Italiano made a motion, seconded by Councilor Nicholson, to set a date for a public hearing on October 18, 2023, to consider proposed local law amending chapter 155 of the town code section 155-3 (definitions) and 155-20.1 residential transitional district (RT) to allow for short term agricultural retail (including cannabis sales) in the residential transitional (RT) district.

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

Nays: 0    All in Favor.    Motion Carries.

**8. 8:56 PM Police Building Lease – Village of Manlius**

Councilor Nicholson made a motion, seconded by Councilor Kriesel, to enter into a lease agreement with the Village of Manlius for the Police Department Building at a rate of \$100,077.30 increasing by 2% each subsequent year for a 3-year period as outlined in the agreement presented.

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

Nays: 0    All in Favor.    Motion Carries.

**9. 8:57 PM OCWA – Skyridge Water District – Pump Replacement**

Councilor Bollinger made a motion, seconded by Councilor Italiano, to authorize the expenditure from the Skyridge Water District for the removal and replacement of the submersible pump at a rate of \$3420 as outlined in the proposal.

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

Nays: 0    All in Favor.    Motion Carries.

Councilor Kriesel left the room at 8:57 PM.  
Councilor Kriesel returned at 9:00 PM.

**10. 9:00 PM Selection of Professional Services – Highway Garage**

Councilor Bollinger made a motion, seconded by Councilor Nicholson, to approve the selection of CNY Land Surveying to complete the land surveying related to the expansion of the highway garage in the amount of \$6,928.

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

Nays: 0 All in Favor. Motion Carries.

Councilor Kriesel made a motion, seconded by Councilor Nicholson, to approve the selection of Kenney Geotechnical for geotechnical services related to the expansion of the highway garage \$12,640.

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

Nays: 0 All in Favor. Motion Carries.

**11. 9:00 PM Approval of Abstract # 19**

Councilor Bollinger made a motion, seconded by Councilor Nicholson, to approve Abstract # 19 in the amount of \$367,039.06 as submitted by Town Clerk Weber.

TOWN OF MANLIUS		
Fund Summary		
Abstract # 19 - 2023		
CODE	FUND	TOTALS
A	General Fund Townwide	\$308,110.05
B	General Fund Part Town	\$5,899.77
DA	Highway Funds Townwide	\$13,260.15
DB	Highway Fund Part Town	\$31,224.36
CM1	Police Trust	\$331.00
CM3	Sustainable Manlius	\$501.00
SL1	Overhead Lighting District	\$1,675.84
SL2	Underground Lighting	\$2,320.90
SL3	Entry Lighting	\$111.57
SL4	Garden Park Lighting	\$694.82
SL5	Ratnour Bridge Lighting	\$2,537.86
SR1	Trash	\$185.87
SR2	Brush	\$185.87
Total		\$367,039.06

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

Nays: 0 All in Favor. Motion Carries.

**12. 9:01 PM Adjournment**

By motion made by Councilor Kriesel and seconded by Councilor Italiano, the Board voted to adjourn the meeting.

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

Nays: 0

All in Favor.

Motion Carries.

Respectfully Submitted by:

Allison A. Weber  
Town Clerk