

MINUTES  
TOWN BOARD  
September 25, 2019

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:

John R. Loeffler, Councilor  
Nicholas J. Marzola, Councilor  
Karen Green, Councilor  
Richard Rossetti, Councilor

Absent Sara Bollinger, Councilor

The following Town Officers were present:

Tim Frateschi, Attorney for the Town  
Mike Crowell, Police Chief  
Doug Miller, Town Engineer  
Allison A. Weber, Town Clerk  
Ann Oot, Town Manager

Other persons attending: Ellen & Mike McGrew, Manlius. Erin Trojan, Elaine Denton, Beverly Everding, Janet Mallon, Carrie & Jim Wood, Rob Oley, R. Hart, Heather Waters.

**The Pledge of Allegiance**

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

**Approval of Minutes – September 11, 2019**

Councilor Rossetti made a motion, seconded by Councilor Green, to approve the minutes of September 11, 2019 as submitted by Town Clerk Weber.

Ayes: Councilor Loeffler, Councilor Rossetti, Councilor Marzola, Councilor Green

Nays: 0

Abstain: Supervisor Theobald

Motion Carries.

**Dedication of Roads & Return of Highway Securities**

Town Clerk Weber presented 3 roads for dedication and return of highway securities. Town Clerk Weber stated that the Highway Superintendent has inspected the roads and approved the roads for dedication to the Town.

Councilor Loeffler made a motion, seconded by Councilor Green, to dedicate 864 Ft of Strawmount Trail to the Town and authorize the release of 95% of the securities.

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

Nayes: 0                                      All in Favor.                                      Motion Carries.

Councilor Marzola made a motion, seconded by Councilor Rossetti, to dedicate 680 Ft of Quarterhorse Run to the Town and authorize the release of 95% of the securities.

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

Nayes: 0                                      All in Favor.                                      Motion Carries.

Councilor Green made a motion, seconded by Councilor Rossetti, to dedicate 975 Ft of Quarterhorse Run to the Town and authorize the release of 95% of the securities.

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

Nayes: 0                                      All in Favor.                                      Motion Carries.

**Approval of Abstract # 18**

Councilor Marzola made a motion, seconded by Councilor Rossetti, to approve Abstract # 18 as submitted by Town Clerk Weber.

TOWN OF MANLIUS		
Fund Summary		
Abstract # 18 - 2019		
<b><u>CODE</u></b>	<b><u>FUND</u></b>	<b><u>TOTALS</u></b>
A	General Fund Townwide	\$ 74,219.79
B	General Fund Town	\$ 2,663.28
CM1	Police Trust	\$ 381.28
DA	Highway Fund Townwide	\$ 15,806.50
DB	Highway Fund Town	\$ 11,041.56
SR1	Manlius Trash District	\$ 101,874.89
SR2	Manlius Res Brush District	\$ 11,600.00
SS1	Manlius Con Sewer District	\$ 7,967.68
TA2	Trust & Agency - Other	33,601.50
SW2	Manlius Con Water District	\$ 30,303.54
W90	Watervale Water District	\$ 36.10

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

Nayes: 0                                      All in Favor.                                      Motion Carries.

**Presentation of Tentative Budget**

Supervisor Theobald presented the 2020 tentative budget to the Town Clerk. Supervisor Theobald discussed the tentative budget process. Supervisor Theobald stated that the tentative



Discussion: Councilor Loeffler asked if local delivery trucks would be limited as well? Attorney Frateschi stated that local delivery trucks are allowed.

Nayes: 0

All in Favor.

Motion Carries.

**Set Date – Local Law Property Tax Override**

Supervisor Theobald stated that the property tax cap override is being considered as a safety precautionary measure. Supervisor Theobald stated that the Town always tries to stay below the tax cap and keep the tax rate down. Supervisor Theobald discussed how the property tax percentage is calculated.

Supervisor Theobald stated that the Town has passed the override in the past, even when the Town has been below the property tax cap. Supervisor Theobald stated the Town could be penalized, at a cost to the taxpayers, if the State Comptrollers calculation finds that the town tax rate is above the tax cap.

Councilor Marzola stated that when the State implemented the tax cap there was a penalty included if the tax cap is exceeded. Councilor Marzola stated that from a risk avoidance perspective the Town never wants to put itself in a position where it could be penalized. Councilor Marzola stated that on the rare occurrence where the Town is not able to stay below the tax cap, the Town should protect itself. Councilor Marzola stated that this action does not cost the Town anything, other than preparing a resolution. Councilor Marzola stated that the Town Board has been below the tax cap in the past and has still passed the override just to protect the Town in case a calculation changes or an outside influencer effects the tax rate. Councilor Marzola stated that as a steward of tax dollars, if the Town Board can alleviate a risk than it is in the best interest of town residents to alleviate the risk.

Councilor Loeffler stated that he believes it is the boards fiduciary duty to pass the override and there is no downside to passing the override. Councilor Loeffler stated that the full town tax rate in 2014 was 4.837 and 2019 was 4.83. Councilor Loeffler stated that every time the Town Board has overridden the tax cap the rate was actually lower. Councilor Loeffler stated that this override is a fiduciary responsibility and to make sure the Town avoids the risk of having a penalty should something come up that is outside of the Town's control.

Councilor Marzola stated that the Town Board has to make the property tax cap override decision before the budget is finalized and before all of the district information is in.

Town Clerk Weber stated that there will be information provided online for residents regarding the property tax cap.

Councilor Marzola discussed the inflation factor and potential add-ons and reductions to mitigate the impact on the tax cap. Councilor Marzola discussed previous budget years stated the relief provided is not dollar for dollar relief for pension costs.

Councilor Green stated that overriding the tax cap is a prophylactic measure.

Councilor Marzola made a motion, seconded by Councilor Rossetti, to set a date for a Public Hearing on October 9, 2019 at 6:35 pm in the matter of the proposed Local Law to override the Property Tax Cap in the Town of Manlius for Fiscal Year 2020.

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

Nays: 0 All in Favor. Motion Carries.

**Correspondence/New Business**

A) Highway Superintendent – No New Business

Town Clerk Weber stated the Highway Superintendent has filed the annual highway inventory and the report has been distributed to the Town Board.

B) Planning & Development

Attorney Frateschi presented an outside user agreement to allow a resident to connect the town sewer and the resident will be paying all of the assessments associated with the user agreement.

Councilor Rossetti made a motion, seconded by Councilor Loeffler, to approve the outside user agreement for a sewer connection located at 8390 East Seneca Turnpike, Manlius subject to legal review.

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

Nays: 0 All in Favor. Motion Carries.

C) Attorney – No New Business

D) Town Clerk

Town Clerk Weber presented the annual inspection report for Dog Control.

E) Police Chief

Chief Crowell reported the following:

- Calls for service for August are slightly up.
- The 3 new recruits have graduated from the academy
- 2 more officers have completed the crisis intervention training. The department is going to meet its crisis intervention training goal by the end of this year.

- Chief Crowell has met with the District Attorney regarding the automatic discovery rules that go into effect January 1<sup>st</sup>.
- The department continues to prepare for other legislative changes.

#### Budget Transfer

Chief Crowell presented a budget transfer to allow the department to purchase a new traffic counter. Chief Crowell stated that department has received \$21,710 from the auction of police department vehicles.

Councilor Loeffler made a motion, seconded by Councilor Marzola, to approve the budget transfer \$15,000 from A004.2665 Sale of Equipment to:

- \$11,000 to A00.5.3120.200 (Equipment) For the purchase of a new traffic counter
- \$2,000 to A00.5.3120.400 (Contractual) For the modifications to be made to the storage trailers
- \$2,000 to A00.5.3120.425 (Building Maintenance) For the replacement of the security gate behind the department.

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

Nays: 0

All in Favor.

Motion Carries.

#### **Scope of Service – Hoag Lane Drainage Area**

Councilor Marzola stated that the Town Board requested a scope of services from Miller Engineers for the Hoag Lane area to address some drainage concerns that were presented by residents in that area.

Councilor Loeffler stated that the proposal was requested as a town study and is not part of what the planning board is reviewing pertaining to a specific proposal.

Councilor Rossetti stated that this drainage study would review existing conditions.

Town Engineer Miller reviewed the proposal for a drainage study in the areas of Hoag Lane, Churchill Lane and Muirfield Drive.

Supervisor Theobald stated that the payment for the drainage study will be coming out of the town budget and not out of any of the drainage districts.

Councilor Marzola made a motion, seconded by Councilor Loeffler, to contract with Miller Engineers to perform a drainage study in the areas of Hoag Lane, Churchill Lane and Muirfield Drive at a rate of \$14,500.

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

Nays: 0

All in Favor.

Motion Carries.

F) Town Board

Councilor Marzola presented the annual procedures review of the Justice Court that was performed by Bowers & CO. that is required by the Uniform Justice Court Act.

Councilor Marzola made a motion, seconded by Councilor Rossetti, to accept the annual procedures review of the Justice Court as required by the Uniform Justice Court Act.

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

Nays: 0 All in Favor. Motion Carries.

Councilor Green stating that she has been meeting with the Village of Fayetteville and discussing the intermunicipal agreement for the Deer Management Program.

Councilor Green stated that there will be a Lyme Disease and Tick Public Service Education Program at 10:00 AM on Saturday, October 19, 2019 at the Fayetteville Village Hall. Councilor Green stated that there will be representatives from Cornell and Town of Manlius Police Department.

G) Supervisor

Councilor Marzola made a motion, seconded by Councilor Rossetti, to accept the Supervisor's monthly report for August 2019 as presented.

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

Nays: 0 All in Favor. Motion Carries.

Supervisor Theobald stated that Town Supervisors have been discussing the Route 81 proposals at their monthly luncheons. Supervisor Theobald stated that some municipalities have made resolutions regarding maintaining Route 81 as it is and looking for other options. Supervisor Theobald discussed constituent surveys that had been conducted by elected officials beginning in 2014 as support and reasoning for the resolution. (\* A copy of those survey results are on file in the Town Clerk's Office)

There being no further business to come before the Board, upon motion duly made by Councilor Rossetti and seconded by Councilor Green the Board voted unanimously to adjourn regular session at 7:27PM.

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

Nays: 0 All in favor. Motion Carries.

Respectfully Submitted by:

Allison A. Weber  
Town Clerk