

**VILLAGE OF MANLIUS
BOARD OF TRUSTEES
August 8, 2017 Regular Meeting**

PRESENT: Mayor Whorrall; Trustees Abdo-Rott, McGrew, Pilewski and Pfeiffer.

ABSENT: None

OTHERS:

Rick James, Village Attorney; Martha Dygert, Administrator/Clerk; Sal & Trish Paparone; Rich DeGuida, MRB Group; David Haase, MFD; Ray Dill, Assistant Chief; Chris Sherwood, DPW Superintendent; Lisa Lucken; Bill Nickal, MFD.

Mayor Whorrall opened the meeting at 7:05 p.m. in the Board Room at Village Centre. The Pledge of Allegiance was recited and he welcomed those present.

Special Use Permit; Schedule Public Hearing – 315 Fayette St, All Who Wander

Attorney James explained the process to the Board and the Board moved as follows:

**RESOLUTION OF THE
VILLAGE BOARD OF THE
VILLAGE OF MANLIUS: August 8, 2017**

Daniel Chapman, or Grit and Grain, LLC, operator of a pub known as “All Who Wander,” located at 315 Fayette Street, Suite 5, Manlius, NY (tax parcel # 023.-01-03.1), has applied to the Village Board of Trustees for a special permit to allow for “outdoor seating” at its property, which is zoned C-1 (commercial-1).

In support of the application the Developer submitted an Application for Special Use Permit, survey, aerial photo, photo of proposed seating area and a Short Environmental Assessment Form.

At its meeting of August 8, 2017, the Village Board resolved as follows:

1. The application is accepted as complete.
2. The Board designates itself as Lead Agency for the uncoordinated review of this matter under Article 8 of the New York State Environmental Conservation Law, as amended, and the regulations of the New York State Department of Environmental Conservation promulgated thereunder (collectively “SEQR”).
3. The matter is unlisted.
4. The Board finds there are no other involved agencies.
5. The application for special permit (with supporting documentation) shall be forwarded by Village Counsel to the Syracuse-Onondaga County Planning Board pursuant to General Municipal law 239-m.
6. A public hearing is hereby scheduled for Tuesday, September 5, at 7:05 pm.
7. This Resolution shall take effect immediately.

Motion by Trustee Abdo-Rott, seconded by Trustee Pilewski to approve the resolution for the Special Use Permit as outlined. Motion Carried 4-0

Communication - Trailer Permit 4822 Westfield Drive

A communication received from Kristen Armstrong of 4822 Westfield Drive requesting permission to store a 29’ camping trailer on the property located at 4822 Westfield Drive. For the purposes of discussion, Trustee Pfeiffer made a motion to approve which was seconded by Trustee Abdo-Rott:

Trustee McGrew stated that he feels that some type of notice should be sent to the neighbors. Attorney James reiterated that this type of approval does not require any legal notice to be sent as the Village Code states that the permit would be granted by the Village Board and revocable at any time.

Sal Paparone of 4857 Westfield Drive was given the opportunity to speak. He stated that he has lived in the Academy Hills development for the past 30 years and it is not customary for him to be upset by neighborhood issues. He stated that in the recent past there have been more and more camping trailers on properties in the neighborhood which is a relatively new trend. He reported that he contacted the Codes Enforcement office roughly two months prior and that he was informed that the property owners had been “cited” and then a second citation had been sent. Mr. Paparone stated that he has three areas of concern relative to the trailer being located on the property: main concern is the safety component – that this trailer is large and the location prevents line of sight for drivers coming down Westfield to be able to see children coming out of the driveway. Secondly, he stated that there exists a restrictive covenant on the deed to his property regarding the parking of camping trailers within Academy Hills. Thirdly, that he believes that the trailer had been occupied with people staying in it.

In speaking to the restrictive covenant, Attorney James advised the Board that this would only be useful if challenged in State Supreme Court.

Mayor Whorrall concurred with Trustee McGrew that he feels that a process should be in place to notify neighboring property owners of these types of requests and that the language in the Village Code should be looked at and possibly amended. Trustee McGrew also felt that the request should have included a period of time (number of days) that the trailer would be parked there.

Attorney James outlined the several reasons that the Board should deny the permit request and these should be communicated to the applicant.

- 1) Village Code restricts the placement of camping trailers in Residential (R1) zoned districts.
- 2) Notice of an existing restrictive covenant relative to trailers, for properties located in the Academy Hills development.
- 3) Potential safety hazard to children in the area (line of site obstructed).
- 4) Concern that the camping trailer has been used as living quarters.
- 5) Objectionable to the neighboring property owners.

Mayor Whorrall reiterated that the motion on the floor was to approve the permit and asked for a roll call vote of the Board:

Motion to approve the trailer permit at 4822 Westfield Drive:

Trustee Abdo-Rott: No
 Trustee McGrew: No
 Trustee Pfeiffer: No
 Trustee Pilewski: Abstain from vote

MOTION FAILED 0-3

Village Administrator to draft notice to applicant.

Communication – 101 Clinton Street, Off-Street Parking

Sarah Falso was present at the meeting. She had contacted the Village Administrator asking about the possibility of the Village allowing a curb cut in front of 101 Clinton Street as her daughter is looking to purchase this property and likely wouldn't be interested if no off-street parking would be allowed.

Trustee Pfeiffer explained the history of the property and that the original owners had intended to construct both a garage and house. They had lived in the garage while they waited to build the house and then circumstances warranted that they weren't able to complete construction of the house.

It was noted that there was a very steep grade to the front yard and it would likely require an area to be built up with a wall in order for either parallel or perpendicular parking. There was much discussion by the Board, Attorney and DPW Superintendent regarding the possibility of a curb cut. Ms. Falso was advised to have a plan drawn up for the Village Board to review as the characteristics of every property are different.

Communication - Meadowridge Street Light Relocation

Mrs. Dygert stated that she met with the property owner who reported the lack of lighting on Meadowridge, near Northfield. She also met with David Hess of National Grid regarding this same issue. Mr. Hess came and inspected the location of the obstructed light and concurred with the property owner that in all likelihood there was not sufficient lighting on that end of Northfield.

The Village Board members will inspect this location prior to the next meeting.

TABLED

MINUTES

The minutes of the July 11, 2017 regular meeting were presented to the Board for review. **Motion by Trustee Pilewski, seconded by Trustee McGrew to approve the meeting minutes as submitted.**

MOTION CARRIED 4-0

TRAINING REQUISITIONS

Clerk, Treasurer, Mayor & Trustee

- NYCOM Fall Training September/Saratoga Springs Cost: Varied

Motion by Trustee Pfeiffer seconded by Trustee Pilewski to approve the training requisitions for the NYCOM Fall Training as submitted. **MOTION CARRIED 4-0**

Fire/EMS

- Sinnema Fire Academy, Codes training Cost: \$145

Motion by Trustee McGrew, seconded by Trustee Pilewski to approve the offsite training for FF/Paramedic Sinnema contingent upon use of Village vehicle for transportation back and forth.

MOTION CARRIED 4-0

- Sinnema Wildland/CPAT 8/17/17 at NYS Fire Academy Cost: \$33

Motion by Trustee Pilewski, seconded by Trustee McGrew to authorize the off-site training as outlined contingent upon the use of a Village vehicle for transportation. **MOTION CARRIED 4-0**

DEPARTMENT REQUISITIONS

Fire/EMS

- IAMResponding 5-year Subscription Cost: \$3,137

Motion by Trustee McGrew, seconded by Trustee Pilewski to approve the IAMResponding requisition as submitted. DISCUSSION: Trustee Pilewski asked if Chief Pinsky benefits at all from this. Mrs. Dygert stated that Mr. Pinsky had fully disclosed his interest in the company and furthermore, the Village had subscribed to this service well prior to Mr. Pinsky becoming Fire Chief.

MOTION CARRIED 4-0

- Bush Electronics Lighting Package Medic Car Cost: \$11,478

Motion by Trustee McGrew, seconded by Trustee Pilewski to approve the requisition for Bush Electronics to install the lighting package on the new Medic Car as submitted. **MOTION CARRIED 4-0**

DPW

- Huen Electric LED Lighting upgrade Cost: \$7,608

Motion by Trustee Pilewski, seconded by Trustee Abdo-Rott to approve the requisition from Huen for LED lighting upgrade to the exterior lights at Village Centre. DISCUSSION: Mrs. Dygert had sent an e-mail outlining an

alternative to this proposal via Eastern Energy Solutions which would qualify the Village for a National Grid rebate of approximately ½ the total cost. Motion and second rescinded.

- Eastern Energy LED Lighting upgrade VC Cost: \$3255
Motion by Trustee Pilewski, seconded by Trustee Abdo-Rott to contract with Eastern Energy Solutions/National Grid for the Village Centre exterior lighting upgrade.

MOTION CARRIED 4-0

- TreeLanders Tree trimming & removal Cost: \$5500
Motion by Trustee Abdo-Rott, seconded by Trustee McGrew to approve the requisition submitted for Treelanders in the amount of \$5500.

MOTION CARRIED 4-0

Capital Fire Station

- Sanico Floor Cleaner Cost: \$3825
Motion by Trustee Abdo-Rott, seconded by Trustee Pfeiffer to approve the requisition submitted for Sanico in the amount of \$3825.

MOTION CARRIED 4-0

ABSTRACTS

A copy of General Fund Abstract 004 was received and reviewed by the Board in the amount of \$420,508.42, **Motion to approve made by Trustee McGrew, seconded by Trustee Pfeiffer.**

MOTION CARRIED 4-0

A copy of Capital Fire Station Abstract #803 was received and reviewed by the Board in the amount of \$730,953.06. **Motion to approve made by Trustee Pfeiffer, seconded by Trustee McGrew.**

MOTION CARRIED 4-0

DEPARTMENT REPORT

Administrator – Martha Dygert was present to answer any questions on the detail within her report. The following item was submitted for approval:

Storm Sewer Connection Permit

Motion by Trustee Abdo-Rott, seconded by Trustee Pfeiffer to approve the Storm Sewer Connection Permit application as drafted and submitted.

MOTION CARRIED 4-0

DPW – Superintendent Chris Sherwood was present to answer questions. Nothing additional was asked regarding the DPW report.

Fence Repair – Insurance Claim

Motion by Trustee McGrew, seconded by Trustee Pilewski to authorize Arrow Fence company to repair the Village fence that was damaged by a plowing contractor.

MOTION CARRIED 4-0

Trustee Abdo-Rott asked about the light pole in front of Liberty Square. Chris stated that they have all the parts and will need to contact Huen to assist with the repair.

Treasurer – LouAnne Randall was not able to be present however submitted end-of-year budget adjustments for the Board to consider.

Budget Adjustments – Year-End 2016-2017

Motion by Trustee McGrew, seconded by Trustee Pfeiffer to authorize the Treasurer to make budget adjustments as outlined and attached to the minutes of this meeting.

MOTION CARRIED 4-0

Fire/EMS – Fire Chief Pinsky was not present but is asking the Board to consider approval of the following:

Part-Time FF/Paramedics – requesting a policy requiring availability for covering 20 open shifts a year (or 2 per month). Mrs. Dygert stated that this should go to labor counsel for review.

Age Restriction Policy Amendment – Fire Chief is asking that 20-year-old drivers be allowed to train so that they will be ready to operate equipment when they turn 21. Trustee McGrew asked that a training form for this be developed. Once a policy has been drafted it should come back to the Board for approval. No action taken.

Appointment – Part-Time Firefighters

To be discussed in executive session

TRUSTEE REPORTS

Trustee McGrew – Spoke highly of the DPW and the barricades that were provided for the block party on Glenclyffe. He also advised the Board that a portion of the area known as Three Falls Woods has been sold.

Trustee Pfeiffer – Gave an oral report from the Codes Officer.

Trustee Abdo-Rott – Nothing to report at this time.

Trustee Pilewski - Gave a Rec Department update and an oral report of Village Court activity. He asked for an executive session to discuss a personnel issue in the Recreation Department.

ATTORNEY REPORT – Attorney James updated the Board on the following:

- SOCPA Referral for All Who Wander
- Memory Lane donation – has had no contact from the other party.
- Simons Agency – has been requested to contact and will come back to the Board with a recommendation for an agreement for Ambulance billing collections.

- Brookdale Tax Certiorari – explained to the Board what this could mean if a court ruled in favor.
- Duck Testing request by EPA.

MAYOR REPORT

- Consensus review update. First public hearing was held at ESM on August 3rd and was not well attended.
- August 22nd – Mayors Association summer outing reminder.
- Fire Station update
- Glenclyffe Retention Dam & EAP meeting with MRB Group
- 4825 Carey Drive – request to hold a party – concerned about noise. Motion by Trustee Pilewski, seconded by Trustee Abdo-Rott that the Village Board was not opposed to a party with music provided that the neighbors were all notified. Motion Carried 4-0

Fire Station – Cabling Vendor

Mayor Whorral stated that he had received two quotes for cabling installation at the new fire station. He stated that there was a difference in price of about \$800. He received the first quote a couple months ago and the second quote was from our current electrical contractor working on the Station and he had to repeatedly ask for a quote. One of the vendors uses their own equipment to test the lines and the other contracts it out. Trustee McGrew stated he would agree to awarding the bid to the contractor who tests their own.

Cabling Vendor – Caratozzolo Electric

Motion by Trustee McGrew, seconded by Trustee Pfeiffer to award the job to Caratozzolo Electric in the amount of \$36,700 for cable installation at the fire station new construction. **Motion Carried 3-0** (Trustee Abdo-Rott abstained)

Public Forum

No one present wished to speak.

EXECUTIVE SESSION

Motion by Trustee McGrew, seconded by Trustee Pfeiffer to adjourn the regular meeting and enter executive session for the purposes as stated previously in the meeting. **Motion Carried 4-0**

Board entered executive session at approximately 8:53 p.m.

Motion by Trustee Abdo-Rott, seconded by Trustee Pilewski to leave executive session and reconvene the regular meeting. **Motion Carried 3-0**

Board re-entered executive session at approximately 10:28 p.m. Trustee Pfeiffer left during executive session.

Appointment – Part-Time Interim Recreation Director

Motion by Trustee Pilewski, seconded by Trustee McGrew to offer Megan Randall a part-time position with the Recreation Department to act as Recreation Director, 25 hours per week at the current pay rate \$17.50 per hour to increase to 40 hours at the discretion of the Board but no later than March 1, 2017 with a term of appointment through July 31, 2017.

Motion Carried 3-0

Appointment – Part-Time Firefighter/Paramedic (4)

Motion by Trustee Abdo-Rott, seconded by Trustee Pilewski to appoint the following to permanent part-time positions:

Connor Dupree	Score 100
Christopher Katz	Score 100
Gregory Kurtz	Score 95
Christopher St. Joseph	Score 95

Motion Carried 3-0

ADJOURN

Motion to adjourn the meeting made by Trustee McGrew and seconded by Trustee Abdo-Rott.

MOTION CARRIED 3-0

The meeting was adjourned at approximately 10:40 p.m.

Respectfully submitted by,

Martha Dygert
Administrator/Clerk