

**VILLAGE OF MANLIUS  
BOARD OF TRUSTEES  
February 13, 2018 Regular Meeting**

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

**ABSENT:** Trustee Pfeiffer

**OTHERS:**

Martha Dygert, Administrator/Clerk; Attorney Rick James; Rich DeGuida, MRB Group; Chris Sherwood, DPW Superintendent; Lauren Young, Eagle Bulletin; Adam Feck, 1st Assistant Fire Chief; Vince Giordano; Jeff & Joni Steigerwald; Richard Sykes, RHS Holdings; David Schlosser, Schopfer Architects; Jerry Menter; Pete Addonizio; Douglas Richer; Michael Assimon; David & Pamela Burrows; David Haase, MFD; Lisa & Mark Bethmann; Bridget Maloney; JP Hernandez; Christine Stevens Palmer; Andy Devorsetz; Carol Rothwell, and Stephen Delahunty.

Mayor Whorrall opened the meeting at 7:00 p.m. in the Board Room at Village Centre. The Pledge of Allegiance was recited and he welcomed those present.

**Public Hearing – Proposed Local Law 2018 – Zone Change – PUD Application Willowbrook Crossing**

**Motion to open the public hearing on this proposed local law made by Trustee McGrew, seconded by Trustee Pilewski. MOTION CARRIED 3-0**

Mayor Whorrall asked Mr. Sykes (Developer) and Mr. Schlosser (Architect) if they wished to give a presentation before he opened the floor to the public present.

Mr. Sykes and Mr. Schlosser gave an overview of the project to include the properties included, the square footage proposed, the types of units proposed; that it would be a mixed-use project and gave explanations of the drawings that they had prepared. The commercial structures would be up to Fayette Street with space between the sidewalk and the structure for open space (patio) and the traffic flow to include no left turn from Route 92 at the Stickley Drive intersection but will allow a left turn arrow and turn from Fayette Street onto Elmbrook Drive. There are several easements from the CVS parcel and there will be no access onto Eureka Drive from the project. The residential housing will include a three story building with 22 apartments, 1200 to 1400 square foot size with the ground level floor to have parking for 40 vehicles.

The goal is not to develop a large singular-looking project but to have a broad diverse look and feel to the project. The retail façade will appear similar to the development in Armory Square with walkways through the retail space back to the parking areas.

Mr. Sykes explained the vision for connection to the walking trails to Perry Springs and the fish hatchery – although those details have not been finalized as it would include cooperation with neighboring property owners.

Mayor Whorrall then opened the floor for the Board to ask questions. Trustee McGrew questioned whether the development would change the pattern of runoff into the creek. Mr. Schlosser stated that they would be working closely with the NYSDEC to develop the storm water pollution prevention component.

**Bridget Maloney – 408 Fayette Street**

- Concerned over how the nature trail will work. Mr. Sykes stated that these discussions will be had at the Planning Board stage of the project, if the zone change is approved by the Board.

An unidentified attendee posed some complaints about prior projects proposed on that site, the lack of notice for the CVS project and other issues (*some inaudible to transcribe*).

**Vince Giordano – Sno-Top**

- Concerned about the number of vehicles who will attempt to illegally make a left turn into the development from Route 92 between the stoplights.

**Bridget Maloney – 408 Fayette Street**

- Ms. Maloney reiterated the concerns brought up by Mr. Giordano. Mayor Whorrall explained that this would be a police enforcement issue and that we have no control over illegal turns.

**Andy Devorsetz/Liverpool Apartments LLC – 121 Park Drive**

- Mr. Devorsetz identified himself as the owner of the 3-story “out of place looking” 1920’s house on Park Drive. He states he has owned the property for roughly 10 years and also owns a house in the City of Syracuse which happens to be adjacent to another similar development to the one that is being proposed here. He claims that he has several concerns now with the Manlius property based on what he has experienced in the City and listed them as follows.
  - 1) Construction at “reasonable” hours would be beneficial. In the past (CVS project) the workers were onsite on Sunday mornings and earlier than what is prescribed in the local code.
  - 2) Drilling borings into bedrock has caused damage to his house in the City. In the event there is damage to his property on Park Drive, he feels the developer should be responsible for repair.
  - 3) (Relative to the above) He further stated that he wants to be “held harmless” and listed as additional insured on the insurance provided by the Developer.
  - 4) Regarding the restaurants and retail businesses in the development – hopes that the businesses will be open during “appropriate” times so as not to disturb the residents adjacent to the property.
  - 5) Lighting on site is very important.
  - 6) Understands that the developer has a good reputation and appreciates the fact that he is local.
  - 7) Noise generated by the “squawk box” – decibel level should be considered during site plan.

- 8) Feels the Village should mandate conditions during construction phase of project, if it is approved.

**Bridget Maloney – 408 Fayette Street**

- Concerned over hours of operation.
- Drive thru and noise generated from the drive thru and additional traffic. Her property would be directly next to the coffee shop that is noted on the drawing provided.
- Stated she enjoys the “country feel” of her property and doesn’t want that to change.
- Removal of house (vacant brown) will open her property up to the new development which is concerning.

**Christine Stevens Palmer – 114 Smith Street**

- Would like a copy of the traffic studies that have been done relative to this property.
- Hoping that there won’t be a missed opportunity for outdoor space and would like to see the tax parcel(s) superimposed over the proposal.
- Screening behind CVS is inadequate
- Would like to see a greater setback from Eureka Drive with more of a buffer in place, especially in relation to the multi-family component of the project.

**Doug Richer – 119 Park Drive**

- As has happened in the past, he is concerned over the increase in night traffic (headlights).

**Steve Denate – 101 Elmbrook Dr**

- His property is directly across from the proposed apartment building and is very concerned to have a 2 ½ story building 35 feet from his house as this would cause a dramatic change to the current quality of life for him.
- Construction on the CVS parcel – stated that the rules were “regularly broken” and hopes that the Village has more oversight if this project is approved.
- Requests that there would be no parking allowed on Eureka Drive during construction.
- Doesn’t feel that the residential component of the development is necessary at this point – as it will increase the level of population density in the neighborhood.

**Carol Rothwell – 106 Eureka Drive**

- Stated she echoed the sentiments of others and has many of the same concerns.

**Doug Richer – 119 Park Drive**

- Stated that there have been problems in the past with the ARC building and he feels that the CVS property was poorly done.

There were general discussions between the public, the developer and the architect relative to the proposed connections to the park and the possible trails that would be incorporated. Also major concerns about traffic flow on Rte 92 and the potential for continued illegal left turns into the project from those vehicles headed east (toward Cazenovia). All those details will be addressed during the site plan process.

There being no one else present who wished to speak, it was on **Motion by Trustee McGrew, seconded by Trustee Abdo-Rott to close the public hearing.** **MOTION CARRIED 3-0**

*Public hearing closed at 8:52 p.m.*

Mayor Whorrall stated that the Board would take all comments into consideration and bring back to a subsequent meeting for a decision on approval of the PUD zone change.

**Re-Schedule Public Hearing – Cold War Exemption Local Law**

Motion by Trustee McGrew, seconded by Trustee Pilewski to reschedule the public hearing on the proposed local law to amend the Code regarding the Cold War Veteran’s Exemption to be held on February 27, 2018 at 7:05 p.m.

**MOTION CARRIED 3-0**

**MINUTES**

The minutes of the January 23, 2018 regular meeting were presented to the Board for review. **Motion by Trustee McGrew, seconded by Trustee Pilewski to approve the meeting minutes as submitted.**

**MOTION CARRIED 3-0**

The minutes of the January 9, 2018 regular meeting were presented to the Board for review. **Motion by Trustee McGrew, seconded by Trustee Abdo-Rott to approve the meeting minutes as submitted.**

**MOTION CARRIED 3-0**

**COMMUNICATIONS**

**Village Historian – Historical Summaries**

The Historian’s draft of the historical summaries of the properties located within the proposed PUD will be inserted into the minutes of this meeting.

**Resignation – FF/Paramedic Michael Nesci**

**Motion by Trustee McGrew, seconded by Trustee Pilewski to accept the resignation of FF/Paramedic Mike Nesci, effective 2/15/18.**

**MOTION CARRIED 3-0**

**Manlius Fire Company – Fire Chief Ratification**

Communication received from Rob Furey, Manlius Vol Fire Co Secretary, outlining the election results from the annual meeting held on January 11, 2018.

**Elected Line Officers**

**Chief: Brad Pinsky**  
**Deputy Chief: Greg VanDyke**  
**Assistant Chief: Adam Feck**

Captain: Matt Whitford  
Fire Lieutenant: Tom Rentz  
Fire Lieutenant: Brandon Heffernan  
Fire Police Captain: Charlie Provo  
Fire Police Lieutenant : George Davenport  
Director of Medical Operations: Kevin Best  
Deputy Director of Medical Operations; Steve Watson

**Elected Company Officers**

President: Rich Manfredi  
Vice President: Jake Seager  
Secretary: Rob Furey  
Treasurer: *Vacant*  
Sergeant at Arms: Glenn Roet

**Motion by Trustee McGrew, seconded by Trustee Abdo-Rott to ratify the offices of the Fire Chief and acknowledge receipt of the remainder of the officers elected by the Fire Company membership. MOTION CARRIED 3-0**

**DEPARTMENT REQUISITIONS**

**Fire/EMS**

- United Radio                      Helmet Radios for Engine 1                      Cost: \$3698.00  
Motion by Trustee Abdo-Rott, seconded by Trustee McGrew to approve the requisition for radios from United Radio as submitted for DISCUSSION: Trustee McGrew stated he would like to see the other quotes associated with this purchase or a state contract # to put on the paperwork to show that the procurement policy is being followed.

**Motion to approved (amended) pending receipt of verification that additional quotes were received or pending receipt of State Contract number prior to ordering. MOTION CARRIED 3-0**

- Dival Safety & Supply              Streamlight & Battery packs (Top Responder gifts)              Cost: \$1739.50  
**Motion by Trustee McGrew, seconded by Trustee Pilewski to approve the requisition for Dival Safety as submitted. MOTION CARRIED 3-0**

- The Fire Store                      White Helmets for Deputy & Assistant Chiefs                      Cost: \$1300.00  
**Motion by Trustee McGrew seconded by Trustee Abdo-Rott to authorize the purchase of the new helmets from the Fire Store as submitted. MOTION CARRIED 3-0**

**ABSTRACTS**

A copy of General Fund Abstract 014 was received and reviewed by the Board in the amount of \$264,000.78 **Motion to approve made by Trustee McGrew, seconded by Trustee Pilewski to approve the abstract and order the claims paid** DISCUSSION: Trustee Pilewski pointed out that voucher #942 in the amount of \$250 should be for \$25. Trustee McGrew posed the question as to why the voucher for J&E Electric is not included under the capital project abstract. Mrs. Dygert explained that it could go under either the general fund departmental budget (fire) or the capital project.

**Motion to approve Abstract #014 to be modified to show that voucher #942 amount changed to \$25.00 and therefore abstract total \$263,775.78. MOTION CARRIED 3-0**

A copy of Capital Project abstract 811 was received and reviewed by the Board in the amount of \$48,983.73. **Motion to approve made by Trustee McGrew, seconded by Trustee Pilewski. MOTION CARRIED 3-0**

**DEPARTMENT REPORTS**

**DPW –** Chris Sherwood was present and had submitted his report to the Board for review. Of note, there were two items for which he needed approval:

**Surplus 1992 Ford F350 Pickup Truck**

**Motion by Trustee Abdo-Rott, seconded by Trustee Pilewski to authorize the surplus of the 1992 Ford Pickup as having no purpose for the Department and further authorize sale by advertisement of acceptance of sealed bids for the purchase. MOTION CARRIED 3-0**

**Pay Rate – Part-Time Mechanic**

It was explained that due to the vacancy in the DPW created upon resignation of the department mechanic, John Pfeiffer, his services were needed after his retirement in October and the Board has not as yet set a rate of compensation for the hours worked. Mayor Whorrall stated that he would agree to setting the rate and to pay Mr. Pfeiffer but would like if a request was brought back to the Board for any additional work to be performed later.

**Motion by Trustee Abdo-Rott, seconded by Trustee McGrew to authorize payment to John Pfeiffer in the amount of \$35 per hour for hours worked in October 2017. MOTION CARRIED 3-0**

**Administrator –**

- **OCWEP – Rate Increase 2018 –** Mrs. Dygert explained that a follow-up letter from OCWEP was received stating that the increase will not go into effect until the latter of the termination of the current agreement or June 1, 2018. This will provide an opportunity for both sides to discuss a new fee schedule.  
**Motion by Trustee Abdo-Rott, second by Trustee McGrew to authorize the Mayor to execute the acknowledgement requested by OCWEP in the letter dated February 6, 2018, consenting to the aforementioned provision. MOTION CARRIED 3-0**

- **ThinkDIFFERENTLY Initiative/Resolution of Support** - The ThinkDIFFERENTLY initiative is one where municipalities are encouraged to take part in a Statewide movement to educate and inform the public, joining efforts to change hearts and minds and include every individual of every ability into their communities and encourage a compassionate society where we see the value in every individual, regardless of ability or social standing.

**WHEREAS**, the "Think Differently" initiative is about promoting awareness and acceptance of all people, and advocating for the inclusion of all individuals living on the Autism Spectrum and with special needs; and

**WHEREAS**, our State and communities are stronger because of our diversity and differences; and

**WHEREAS**, according to the Center for Disease Control (CDC) over 55 million people, or approximately 19% of Americans, have a type of disability or special need; and

**WHEREAS**, for some people with special needs, the very things that make them unique can also keep them on the sidelines, separate from those who might not understand their differences or uniqueness; and

**WHEREAS**, it is important to promote and provide guidance to those with special needs on how to access publicly supported services available to them in the community; and

**WHEREAS**, it is equally important to encourage and educate the community and businesses on ways they can make facilities and services more accessible and on how to train staff to welcome and support special needs customers and co-workers; and

**WHEREAS**, the goal of this initiative is to provide a supportive and inclusive environment for individuals of all abilities by supporting community events that expand family friendly opportunities for people with special needs and their families; and

**WHEREAS**, adopting the "Think Differently" initiative is an important statement that our Village officials, business owners and residents can make to show their support for the differently-abled children and adults and their families; now, therefore

**BE IT RESOLVED**, that the **Village of Manlius Board of Trustees**, uphold the ideals in the "Think Differently" initiative and encourage the business owners and residents to adopt the same mindset and welcome those by communicating with, providing for, and offering support for those living on the Autism Spectrum and with special needs.

- **Buyback Per Employee Handbook** – The Village Board approved payment of the “buyback” for the employees in the collective bargaining units at the last meeting. This approval is requested for the three employees who were not included in the prior approval.

**Motion by Trustee Pilewski, seconded by Trustee Abdo-Rott to approve the buyback for those three employees (two DPW, one Court).** **MOTION CARRIED 3-0**

- **Capital Project Approvals**

1) **Engineer/SWPPP Inspections** – **Motion by Trustee Abdo-Rott, seconded by Trustee Pilewski to approve the additional 12 SWPPP Inspections at a cost of \$4200.** **MOTION CARRIED 3-0**

2) **Substantial Completion** – Bette & Cring (General); HMI (Mechanical); Burns Brothers (Plumbing); J&E Electric (Electric); Associate Fire Protection (Sprinkler)

**Motion by Trustee McGrew seconded by Trustee Pilewski to approve the Substantial Completion requests by the five (5) contractors for the Fire Station project.** **MOTION CARRIED 3-0**

3) **Change Order(s)**

a. **Bette & Cring** – Change Order #10 in the amount of \$7,322.78 which brings the total contract amount to 5,486,169.78. **Motion by Trustee Abdo-Rott, seconded by Trustee McGrew to approve Change Order #10 for Bette & Cring** **MOTION CARRIED 3-0**

b. **Burns Brothers** – Change Order #3 in the amount of \$1129 which brings the total contract amount to \$302,409.66. **Motion by Trustee McGrew, seconded by Trustee Pilewski to approve Change Order #3 for Burns Bros.** **MOTION CARRIED 3-0**

- **Murphy’s Law Irish Pub – Waive 30-day Notice Requirement**

**Motion by Trustee McGrew, seconded by Trustee Pilewski to authorize the waiver of the 30-day notice to the State Liquor Authority for Murphy’s Law Irish Pub.** **MOTION CARRIED 3-0**

**Recreation** – Mayor Whorrall gave an oral report on the success of the Daddy/Daughter Dance.

**Fire Chief Report** – submitted by Fire Chief Pinsky. Assistant Chief Adam Feck was present to answer any questions. The first item on the Chief’s report was a request to purchase turnout gear (8 sets) Mayor Whorrall asked the Assistant Chief to obtain copies of the requisition outlining the quotes and/or purchase contract numbers to bring back to the Board for approval.

**Remove Probationary Firefighters from Roster**

The third item on the report was a request to terminate two probationary part-time firefighters (Dupree & St. Joseph) as they have taken full-time employment elsewhere.

**Motion by Trustee Pilewski seconded by Trustee McGrew to authorize the removal of the aforementioned part-time probationary firefighters from the civil service roster.** **MOTION CARRIED 3-0**

**Request for Eligible List – Part-Time Firefighter/Paramedics (3)**

**Motion by Trustee Abdo-Rott, seconded by Trustee McGrew to authorize the Administrator/Clerk to request the eligible list from Onondaga County Personnel to canvass for hiring three additional part-time firefighter paramedics for the Manlius Fire Department.** **MOTION CARRIED 3-0**

**Continuously Responding Member – Manchester**

**Motion by Trustee McGrew, seconded by Trustee Pilewski to approve Alex Manchester of the Kirkville Fire Department as a continuously responding member.** **MOTION CARRIED 3-0**

Assistant Chief Feck asked if the Board would consider adopting a policy for the part-time staff which would require the filling of two (2) open shifts per month. Mayor Whorral asked that the office staff be provided with a copy of the policy and explained that this would be something that would need to be cleared by our labor-relations counsel.

#### **Driver Training Policy**

He also asked if the Board had considered the request made several months ago by the Fire Chief which would allow 20-year-old members to initiate driver training prior to turning 21. The current policy does not allow for any training time prior to the age of 21 for any members. Mayor Whorral explained that this also would have to be reviewed by our insurance carrier.

#### **Bunk-In Program**

AC Feck asked about the process for the local “bunk-in” program. Mayor explained the process by which OCC (or other academic institution) and Emergency Management come to inspect the site and if approved, puts the availability out to the student body for applicants. The Village needs information from both the institution and emergency management regarding the background on the students prior to approving anyone for the program. Mrs. Dygert to check with the insurance carrier regarding this program.

### **TRUSTEE REPORTS**

Trustee Pilewski – asked for Board approval of the following:

#### **Interim Court Clerk – Stanley**

Motion by Trustee Pilewski, seconded by Trustee McGrew to authorize hiring Janet Stanley to act as Court Clerk in an interim capacity during the disability of the current Clerk at a rate of \$25/hour for a maximum of 10 hours per week.

**MOTION CARRIED 3-0**

Trustee Pilewski also gave the Court report for January.

Trustee Abdo-Rott - Spoke on the snow removal from the streets and sidewalks – that it's been a busy season and that the guys are doing a great job. The department has received the new lift which was purchased to share with the Fire Department.

Trustee McGrew - Reported on the NYCOM Legislative conference.

### **ATTORNEY REPORT**

Attorney James had the following for the Board to consider

- Circulated amendment to the Cold War Veteran's Exemption for the public hearing to be held on February 27, 2018.
- Provided the Administrator with the amended Community Room use agreement for posting on the website. Of note, he recommends removing any language which could be construed as allowing consumption of alcoholic beverages on the premises for any of our facility policies.
- Advised the Board that he had been contacted by Kurt Honis relative to Phase 2 of the Centerfield Development project. Mr. James advised Mr. Honis that there were several outstanding items from the approval granted in 2008 which haven't been completed to include the annexation of a portion of land in the Town of Manlius and without completion of those items, the Village could not consider any application for Phase 2.

### **MAYOR REPORT**

- Legislative Conference at NYCOM – gave an overview of the experience this year.
- Asked to serve on the NYCOM Policy committee
- Will be sending out notifications to the Board and Department heads of the upcoming budget meetings. Encouraged the liaisons to begin working with their respective Department heads now.
- Asked for cooperation from the Board to go back to the process a few years back where the Board signs off on vouchers. He feels that it would be beneficial to have the Liaisons signing just those vouchers that were generated for their department.
- Mayor's Association meeting next Wednesday in Liverpool.
- Announced that he would be out of the country for the next Board meeting and that Deputy Mayor McGrew would be taking care of the meeting for him.
- Asked for an executive session to discuss the personnel

#### **Village Centre – Designated Staging Area**

Motion by Trustee Abdo-Rott, seconded by Trustee Pilewski to allow the Village Centre to be designated as a Staging Area for disaster relief.

**MOTION CARRIED 3-0**

### **Public Forum**

Rich DeGuida from MRB Group stated that the HVAC System Evaluation with draft report would be available for the next meeting.

Christine Stevens asked if it would be possible to place any documents relating to the proposed PUD on the website so that anyone interested could access them. She also stated that she would like the Village codes enforcement to take a more proactive approach, specifically regarding the property at 101 Smith Street.

### **Executive Session**

*For issues relating to the performance of particular employees the Board entered executive session:*

*Motion by Trustee Pilewski, seconded by Trustee Abdo-Rott to enter executive session at 9:20 p.m. Motion Carried*

*Motion by Trustee McGrew, seconded by Trustee Abdo-Rott to come out of Executive Session and re-enter the regular meeting at 10:30 p.m.* *Motion Carried*

**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 10:30 p.m.*

Respectfully submitted by,

Martha Dygert  
Administrator/Clerk