

**VILLAGE OF MANLIUS  
BOARD OF TRUSTEES  
November 14, 2017 Regular Meeting**

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

**ABSENT:** None

**OTHERS:**

Rick James, Village Attorney; Martha Dygert, Administrator/Clerk; Chris Sherwood, DPW Superintendent; Rich DeGuida, MRB Group; Bob Bennett, MFD; David Haase, MFD; David Schopfer; Richard Sykes; Josh & Sarah Wright; Joan Visser.

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.

**MINUTES**

The minutes of the October 24, 2017 regular meeting were presented to the Board for review. **Motion by Trustee Pfeiffer, seconded by Trustee McGrew to approve the meeting minutes as submitted.**

**MOTION CARRIED 4-0**

**COMMUNICATION - Manlius Fire Co**

A communication was received from Rob Furey, Fire Company Secretary regarding the following:  
Removal from Membership – Stephen Fuller (Probationary)  
Resignation – Rick Wharton

**Motion by Trustee Pilewski, seconded by Trustee McGrew to approve the membership changes as submitted.**

**MOTION CARRIED 4-0**

**CNY Stormwater Coalition (MS4) Resolution**

**Resolution Supporting Participation in the  
CNY Stormwater Coalition Staff Services and Education Compliance Assistance Program**

Resolution authorizing the items listed below pursuant to requirements of the New York State Pollutant Discharge Elimination System Municipal Separate Storm Sewer System General Permit.

WHEREAS, the Village of Manlius herein called the “Municipality”, after thorough consideration of the various aspects of the problem and consideration of available information, has hereby determined that certain work, as described in Attachment A, herein called the “Project”, is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Central New York Regional Planning & Development Board, herein called the “Board”, has provided program planning and implementation assistance pertaining to the requirements of the New York State Pollutant Discharge Elimination System (SPDES) Stormwater Phase II General Permit for Municipal Separate Storm Sewer System (MS4) operators since 2002, and

WHEREAS, the Board has proposed staff and education assistance services in support of sustaining the CNY Stormwater Coalition and to provide a regional public education, outreach and training compliance program to reduce municipal staff burdens, ensure consistency, provide widespread priority audience targeting the most efficient use of limited municipal funds by distributing total program costs over a number of entities within a twelve month timeframe as outlined in Attachment B;

NOW, THEREFORE, BE IT RESOLVED BY the Board of Trustees of the Village of Manlius

1. That Mayor Paul Whorrall or such person’s successor in office is the representative authorized to act in behalf of the Municipality’s governing body in all matters related the Project;
2. That the Municipality agrees that it will fund its portion of the program cost in the amount of \$3,600, and that those funds will be made available to the Board upon receipt of invoice.
3. That one (1) certified copy of this Resolution will be prepared and sent to the Board upon adoption.
4. That this Resolution take effect immediately.

**On motion by Trustee McGrew, seconded by Trustee Pilewski to adopt the resolution as outlined.**

**MOTION CARRIED 4-0**

**Memory Lane Land Donation SEQR Resolution**

**Village of Manlius Board of Trustees: Resolution, dated November 14, 2017**

WHEREAS, the Village of Manlius has received an offer of donation consisting of approximately 44.98 acres of undeveloped land within the Village along Memory Lane (tax map parcels 021.-01-06.0 & 020.-03-16) at no cost to the Village; and

WHEREAS, the Village Engineer inspected the property at the request of the Village Board and the Village Board has reviewed the engineer’s report; and

WHEREAS, by resolution dated April 25, 2017, the Board resolved to accept the land donation upon the satisfaction of numerous conditions, including: (a) compliance with the State Environmental Quality Review Act (SEQR) and its implementing regulations (6 NYCRR 617), (b) receipt of a map or survey, abstract of title, proposed Warranty Deed with lien covenant (all satisfactory in form and content to Village counsel), and (c) the establishment of an escrow account by the donor

in an amount adequate to cover anticipated Village expenses associated with its initial acceptance of the donated land (including, but not limited to, engineering and attorney's fees, recording and other closing-related expenses, and costs of signage and tire disposal); and

**WHEREAS**, by resolution dated April 25, 2017, the Board designated itself as Lead Agency for review of the proposed action under SEQRA, classified the proposed action as Type I, determined there are no other involved agencies. As Lead Agency, the Board also prepared, approved and placed on file with the Village Clerk a Full Environmental Assessment Form (EAF), Part I; and

**WHEREAS**, following April 25, 2017 Village counsel has confirmed receipt of title and closing documents in a form acceptable to Village counsel; and

**WHEREAS**, following April 25, 2017 Village Counsel has received written confirmation that an escrow account in the amount of \$16,000 will be established by donor to pay anticipated Village expenses associated with Village acceptance of the land donation; and

**WHEREAS**, the Village desires to take further action as is necessary to accept title to the land pursuant to donation at no cost to the Village; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board of the Village of Manlius hereby amends, nunc pro tunc, all prior resolutions related to this matter, including its Resolution dated April 25, 2017, following the receipt and review of the Survey and Map prepared by SeGuin Land Surveying, PLLC, dated May 26, 2017, and the more recent Survey Map of SeGuin Land Surveying, PLLC, dated July 25, 2017 (hereinafter "Survey"), so as to clarify that the land donation includes tax map parcels # 021.-01-06.0 and # 020.-03-16.0, which total approximately 44.98 acres of land according to said Survey (hereinafter the "Property"); and be it further

**RESOLVED**, that the Village Board of the Village of Manlius, per the Full Environmental Assessment Form—Part 3 which incorporates this Resolution, hereby issues a Negative Declaration regarding its acceptance of the donation of Village of Manlius tax parcels # 021.-01-06.0 and 020.-03-16.0, consisting of a total of approximately 44.98 acres of land according to the Survey. More specifically, based on the preparation and adoption of Full Environmental Assessment Form-- Part 1, which is hereby amended to add reference to tax parcel 020.-03-16 and the 44.98 acre figure, and Full Environmental Assessment Form—Part 2, as well as all prior proceedings before the Board, including the Board's review of the engineering inspection report and conditions placed upon the donation, the Village Board hereby determines its acceptance of the donation of the Property will not have any significant adverse environmental impact and that a draft impact statement will not be prepared because the acceptance of the land donation does not involve construction or physical alteration of any land, will not result in the modification of any unique land forms within the Village, will not affect surface water or groundwater, will not cause the development of lands subject to flooding, will not result in the loss of any flora or fauna, and will not adversely impact or adversely affect agricultural lands, aesthetic resources in the Village, archeological resources, open space or recreation areas, critical environmental areas, transportation facilities or activities, or any energy resources; and be it further

**RESOLVED**, that the Mayor of the Village is authorized to execute a State Environmental Quality Review Negative Declaration Notice of Determination of Non-Significance (i.e., Part 3, or equivalent notice), and to file said Notice in his office and with the Village Clerk; and be it further

**RESOLVED**, that the Village has completed SEQRA review of the proposed action pursuant to the criteria contained in Section 617 of 6 NYCRR, and Village counsel, Mackenzie Hughes, LLP, is hereby authorized to cause notice of the Negative Declaration to be published in the Environmental Notice Bulletin; and be it further

**RESOLVED**, that the Village Board of the Village of Manlius hereby approves acceptance of the donation of the Property as in the public interest, subject to the conditions below; and be it further

**RESOLVED**, that upon proof that the escrow account has been duly funded, and upon counsel's final approval of documentation related to the donation of the Property to the Village, the Village Mayor, or his designee, be and hereby is authorized and directed to execute all documents necessary or advisable to carry out the intent of this Resolution and all prior resolutions related to the Village's acceptance of the donation of Property.

THE FOREGOING RESOLUTION WAS PUT TO ROLL CALL VOTE WHICH RESULTED AS FOLLOWS:

	<u>AYE</u>	<u>NAY</u>
Paul Whorrall	x _____	_____
Scot McGrew	x _____	_____
Janice Abdo-Rott	x _____	_____
Nancy Pfeiffer	x _____	_____
Tom Pilewski	x _____	_____

On motion by Trustee McGrew, seconded by Trustee Abdo-Rott, the resolution was adopted via roll call vote:  
**MOTION CARRIED 4-0**

**HVAC Engineering Proposal – MRB Group**

Trustee Abdo-Rott explained the process that had been undertaken to select an engineering firm to perform the first phase of the HVAC upgrade project for the Village Centre. Based on the responses to the RFP, it was the decision of the committee to award the bid for the first phase to MRB Group at a cost of \$9,000 and this work will include: site investigation, HVAC condition survey/report and system replacement options (limited to 3) along with the probable construction costs of each option. This work will include architectural, structural, mechanical and electrical trades costs. Once the first phase is complete, the second phase cost will be more concrete and will be brought back to the Board for consideration. Rich DeGuida of MRB Group was present at the meeting and answered questions.

**Motion by Trustee Abdo-Rott, seconded by Trustee Pfeiffer to authorize the Mayor to execute the agreement with MRB Group for engineering service Phase 1 of the Village Centre HVAC project at a cost of \$9000.**

**MOTION CARRIED 4-0**

**PUD Zone District Application – Willowbrook Crossing**

The developer and architect for Willowbrook Crossing were present and gave an outline of the proposed project to the Board. The site will incorporate 25,000 square feet of retail space, 20,000 square feet of office space and 22,000 square feet of residential space (apartments) and 331 parking spaces. It was explained that this project needs to be referred to the Planning Board for recommendation. The following resolution was presented:

**WHEREAS**, this Board of Trustees is in receipt of an application from RHS Holdings, LLC to establish a PUD zoning district with respect to premises bounded by Fayette Street and Eureka Drive (the "Application") consisting of lands identified as tax map parcel numbers: 024.-01-05.0, 024.-01-08.1, 024.-01-09.1, and 024.-01-10.1 (the "Premises"), and

**WHEREAS**, the Application seeks a change of zoning classification for the Premises from C-Commercial District to PUD-Planned Unit Development District in order to construct and operate a mixed-use development of commercial retail, office and residential uses.

**NOW THEREFORE BE IT HEREBY RESOLVED**, on motion by Trustee Pilewski, seconded by Trustee Abdo-Rott, that the Board of Trustees accepts the Application and hereby refers the Application to the Village Planning Board for further review, and to prepare a report to this Board of Trustees pursuant to the provisions paragraphs (3), (4) and (5) of section 99-11.2 subsection (C) of the Village Zoning Code.

**MOTION CARRIED 4-0**

**H2M/Pacheco Ross – Amendment to Prof Services Agreement**

For the architectural work related to the enclosure for the roof-top unit on the new fire station, H2M has submitted a request to modify the professional services agreement in place with an increase of \$1000 for this work.

**Motion by Trustee Pilewski seconded by Trustee Abdo-Rott to approve the Amendment to Professional Services Agreement for H2M architects in an amount of \$1000.**

**MOTION CARRIED 4-0**

**ABSTRACTS**

A copy of General Fund Abstract 009 was received and reviewed by the Board in the amount of \$218,601.79. **Motion to approve made by Trustee Pfeiffer, seconded by Trustee Pilewski** DISCUSSION: Trustee Pilewski asked about the charges for the new fire station internet. He feels that those are excessive and wants to know if those are going to be the monthly charges going forward. Mrs. Dygert to check and report back to the Board.

**MOTION CARRIED 4-0**

A copy of Capital Fire Station Abstract #808 was received and reviewed by the Board in the amount of \$88,839.06. **Motion to approve made by Trustee McGrew seconded by Trustee Pilewski.**

**MOTION CARRIED 4-0**

**DEPARTMENT REQUISITIONS**

**Capital Fire Station**

- One Vision Solutions AV System – Fire Station Cost: \$103,129

**Motion by Trustee McGrew seconded by Trustee Pfeiffer to approve the bid award to One Vision Solutions in the amount of \$103,129 as the apparent lowest bid involved a proposal from a company looking to donate a portion of the equipment to a private not-for-profit when bids were solicited for equipment to be purchased and owned by the Village. Due to the fact that the equipment would not be owned by the Village under that proposal, it is inconsistent with the bid specifications and is therefore rejected and the lowest responsible bidder is One Vision Solutions.** DISCUSSION: Mrs. Dygert explained the process that had been followed as a follow-up to the last meeting. The Board had tasked her with reaching out to the bidders to obtain customer references. She called all bidders with a follow-up e-mail and the only company to provide customer references was One Vision. She also explained that one of the references gave an overview of the work performed by OneVision and this company actually prefers the Extron equipment over the Crestron equipment which some of the other bidders quoted. The reference explained some idiosyncrasies with the Crestron brand which tied the owner to the original supplier/installer of the equipment. He replaced his Crestron equipment with Extron. Attorney James interjected the verbiage for the resolution.

**MOTION CARRIED 4-0**

**DEPARTMENT REPORTS**

**DPW – Chris Sherwood** was present to answer questions. He had a request for approval to surplus the old Hotsy pressure washer; granite curbing which has been stored outside the DPW Garage for the past 10 years; and the 2000 Ferris riding lawn mower which hasn't been used in at least the past two years.

**Surplus Equipment – DPW**

**Motion by Trustee Abdo-Rott, seconded by Trustee Pfeiffer to authorize the surplus and disposal of the granite curbing, the Hotsy pressure washer and the 2000 Ferris lawn mower to be sold at the discretion of the DPW Superintendent.**

**Administrator – Mrs. Dygert** gave an oral report to the Board with updates on the following:

- **Napierala Consultants – Mrs. Dygert** and the Mayor met with Mr. Napierala and one of his associates to go over the issues with OCWEP and the Infiltration & Inflow into the sanitary sewer lines. Mr. Napierala has recently been retained by the Village to assist with correspondence with the County and State agencies relating to this issue with the sanitary sewers. The first letter has gone to Tom Rhoads at OCWEP asking for an extension of the initial deadline to allow time for Mr. Napierala to come up to speed on this issue.
- **General Code – Codification Project – Mrs. Dygert** is waiting for the Administrative review packet to come from General Code.
- **Minutes on Website –** it was explained to the Board that she had been posting the minutes on the General Code site as the minutes are then searchable by keyword; and had thought that there was a link on the Village website to the location on the General code site, which wasn't the case. She will work with the Recreation Director to have the minutes posted in both locations.
- **ZBA Meeting 11/6/2017 –** the Zoning Board turned down a request for a shed on 115 Greenridge.

- **Highbridge Road Property** – after research, Mrs. Dygert found the Attorney for the owner of the property which has several serious codes violations. She drafted a letter which was sent via certified mail and will provide a copy to Attorney James.
- **Employee Handbook** – Copies of the employee handbook were distributed to all departments with a signed receipt to be given back and put in the personnel file. This should address some recent issues with employees claiming to not have known the rules.
- **Capital Fire Station Project** – She has been receiving several sets of documents to begin the finalization of the Fire Station project. There is still a need to order a hoist for the mezzanine and a lift for the bay.
- **Fire Dept Employee** – had been out of work since January and now has returned to light duty.
- **Codes Department** – answered 12-15 zoning related questions with written correspondence and both Mrs. Dygert and Mrs. Randall have been working on completing the filing in the Codes office.
- **PUD Application** – Working with the developer and Attorney Stokes to finalize the application submission.

**Fire/EMS** – Chief Pinsky was not present to answer questions. Mayor acknowledged receipt of his written report.

#### **TRUSTEE REPORTS**

Trustee McGrew – Attended Police Committee meeting. Other than that, nothing to report.

Trustee Pfeiffer – Property on North & Pleasant has cut the lawn. She has been assisting the Clerk's office with questions.

Trustee Pilewski – Ski & Skate sale was a success and brought in \$7000 which is split between the participating municipalities.

Trustee Abdo-Rott – Reported that the Beautification Committee has sent out the bids for the spring flowers. Is working with DPW to arrange for the planting of the tree in Gazebo Park.

**ATTORNEY REPORT** – Attorney James had the following items to discuss:

- Jones Land Donation – completed the SEQR resolution earlier in the meeting.
- Liberty Commons – Impact Fee Assessment
- Centerfield Phase 1 – Konrad Developers has completed the paving and the release of the Letter of Credit has been completed.

#### **MAYOR REPORT**

- Legislative Priorities Meeting in Albany – gave a handout to the Board with the ten (10) topics which were agreed upon by the Committee.
- SALT Resolution & vote by Congress
- NYCOM Legislative meeting to be held February 11-13, 2018 tentatively set to be held at the Hilton in Albany.
- AIM Funding to be cut by NYS due to projected 8 billion deficit.
- PERMA – completed Advanced Safety Officer training and will be creating a Safety Committee to meet regularly.
- Ribbon cutting at Brookdale Veteran's Wall will be this Friday.
- Upcoming Events:
  - Mackenzie Hughes Holiday Celebration November 30<sup>th</sup> from 5-8
  - Eagle Hill School – Government Reception on Monday December 11<sup>th</sup> from 5-6:30
- Candy Lane resident – complaint that pedestrians using crosswalk on E. Seneca don't look before they cross
- Cygnets removed by Mr. Bean to Gibson PA
- Wesley St Parking – St. Laurent. Mayor has received complaints about parking in this area and that the police don't enforce the time limited parking.
- OCWA – received communication. OCWA has reviewed our hydrant system and given us ISO credits as a result.
- Showed the Board a picture taken of Seneca Street from the early 1800's

#### **MRB Group – Amendment to Glencliffe EAP Agreement**

Based on discussions with the Attorney and MRB group, it is agreed that the Village will pay an additional \$2000 for the unforeseen work needed to complete this Plan. **Motion by Trustee Abdo-Rott, seconded by Trustee Pilewski to approve the additional funding.** **MOTION CARRIED 4-0**

#### **Public Forum**

No one wished to speak.

#### **ADJOURN**

Motion to adjourn the meeting made by Trustee McGrew and seconded by Trustee Pilewski

**MOTION CARRIED 4-0**

*The meeting was adjourned at approximately 8:00 p.m.*

Respectfully submitted by,

Martha Dygert  
Administrator/Clerk