

**VILLAGE OF MANLIUS
BOARD OF TRUSTEES
September 23, 2014 Regular Meeting**

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

ABSENT: Trustee Hopkinson

OTHERS:

Clerk-Treasurer Martha Dygert, Jeff Brown, Village Attorney; Deb McGrew, Tom Peschel; Jerry & Judy Dardzinski; Ray Dill, MFD; David Haase, MFD; Jerry Menter, Vince Giordano, John Buskey, Fire Chief; Doug & Erin Trojan; Hayleigh Gowans, John Urcioli, John Winslow, MFD and Matt Hodinger.

The meeting was called to order at 7:00 pm in the Board Room at Village Centre. The Pledge of Allegiance was recited and Mayor Whorral welcomed those present.

Proposed Local Law #5 2014

Motion by Trustee Pilewski, seconded by Trustee Noble to open the public hearing on the proposed Local Law #5, 2014 to amend Chapters A103 of the Code of the Village of Manlius. Motion Carried 5-0.

Attorney Brown explained that this local law would simply provide the Board with the flexibility to appoint to the position of Codes Enforcement officer if desired.

There being no one from the public wishing to speak on the proposed local law, it was on motion by Trustee Pfeiffer, seconded by Trustee McGrew to close the public hearing. Motion Carried 5-0.

PROPOSED LOCAL LAW #5 – 2014

Section 1. Article IV, §§A103-10, A103-11 of Chapter A103 of the Code of the Village of Manlius are hereby deleted in their entirety.

Section 2. New Article IV, §§A103-10, A103-11 of Chapter A103 of the Code of the Village of Manlius are hereby added to read as follows:

Article IV – Position of Code Enforcement Officer

§A103-10. Position Established

The position of Village Code Enforcement Officer is hereby established. The Code Enforcement Officer shall be appointed by the Village Board or by appropriate intermunicipal agreement as the Village Board shall determine from time to time. One or more inspectors may be appointed by the Village Board to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this Code. The compensation for the Code Enforcement Officer and inspectors shall be fixed from time to time by the Village Board.

§A103-11 (RESERVED)

Section 3. This Local Law is effective upon filing with the Secretary of State.

Adopt Local Law #5-2014

Motion by Trustee McGrew seconded by Trustee Noble to adopt Local Law #4-2014 as presented. Motion Carried 5-0.

Proposed Local Law #6 2014

Motion by Trustee Pilewski, seconded by Trustee McGrew to open the public hearing on the proposed Local Law #6, 2014 to amend Chapters 99 of the Code of the Village of Manlius. Motion Carried 5-0.

Trustee Pfeiffer gave an explanation to the Board regarding this proposed local law which would allow a brew pub in a commercial zoned district by special permit.

There being no one from the public wishing to speak on the proposed local law, it was on motion by Trustee Abdo-Rott, seconded by Trustee Pilewski to close the public hearing. Motion Carried 5-0.

Section 1. Article I, §99-1 of Chapter 99 of the Code of the Village of Manlius is hereby amended to add new definition “Restaurant Brewery (commonly known as a Brewpub)” after “Recreational Area” to read as follows:

RESTAURANT BREWERY (COMMONLY KNOWN AS A BREWPUB)

A restaurant or bar that brews beer on the premises or at a production facility of a related entity for sale on site.

Section 2. Article III, subsection J, §99-15 of Chapter 99 of the Code of the Village of Manlius is hereby retitled to read as new subsection “K”.

Section 3. Article III, §99-15 of Chapter 99 of the Code of the Village of Manlius is hereby amended to add new subsection J to read as follows:

- J. Restaurant Brewery (commonly known as a Brewpub), provided that it sells 25% or more of its beer for on site use. Beer is to be brewed on the premises (not to exceed 5,000 bbl) or at a production facility of a related entity. This includes the sale of take home containers such as kegs, growlers, bottles and cans as may be allowed under federal and state law.

Section 4. This Local Law is effective upon filing with the Secretary of State.

Adopt Local Law #6-2014

Motion by Trustee Pfeiffer, seconded by Trustee McGrew to adopt Local Law #6-2014 as outlined. Motion Carried 5-0.

Proposed Local Law #7 2014

Motion by Trustee Pilewski, seconded by Trustee McGrew to open the public hearing on the proposed Local Law #7, 2014 to change the zoning classification of certain properties from Residential (R-2) to Commercial (C) of the Code of the Village of Manlius. Motion Carried 5-0.

Trustee Pfeiffer explained the proposed local law for the zone change for the three parcels. Attorney Brown stated that he has included a SEQR resolution and that this has already been sent to County Planning for review and approval.

Ray Dill asked what would happen with the house that is currently situate on the property.

There being no one further wishing to speak, it was on motion by Trustee Abdo-Rott, seconded by Trustee Pilewski to close the public hearing. Motion Carried 5-0.

Local Law #7 2014

Section 1. Amendment of Zoning Map

The Village of Manlius Zoning Map, so identified and designated as a part of Chapter 99 of the Code of the Village of Manlius pursuant to §99-3 of said Code, shall be, and hereby is amended to change the zoning district classification of the parcels identified in this local law from Residential (R-2) to Commercial (C).

Section 2. Parcels Affected

The amendment to the Zoning Map of the Village of Manlius authorized herein shall affect only three lots totaling approximately 1.33 acres located on the northeast corner of the intersections of Elmbrook Drive and Fayette Street, known and described as Village of Manlius tax map parcel numbers 24-01-13.0, 24-01-12.1 and 24-01-12.2.

Section 3. Map Amendment

The Village Clerk shall duly file in her office the Zoning Map of the Village of Manlius in accordance with the amendment described herein, and duly note the amendment affected by this local law.

Section 4. This Local Law is effective upon filing with the Secretary of State.

The following SEQR resolution was introduced by the Board:

RESOLUTION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT RELATIVE TO THE ADOPTION OF LOCAL LAW NO. __ of 2014 AMENDING CHAPTER 99 (ZONING) OF THE CODE OF THE VILLAGE OF MANLIUS.

WHEREAS, pursuant to Article 8 of the New York State Environmental Conservation Law, as amended, and the regulations of the New York State Department of Environmental Conservation promulgate thereunder (collectively "SEQR"), the Board of Trustees of Village of Manlius, Onondaga County, New York (the "Board"), is required to make a determination with respect to the environmental impact of any "action" (as defined by SEQR) to be taken by the Board (the "Action"); and

WHEREAS, the Action contemplated is the adoption of Local Law No. __ of 2014 amending Chapter 99 (Zoning) of the Village of Manlius Code to change the zoning classification of the premises identified by tax map numbers 24-01-13.0, 24-01-12.1 and 24-01-12.2 to Commercial(C); and

WHEREAS, pursuant to SEQR, the Board desires to determine whether the Action may have a significant adverse impact on the environment (as defined by SEQR); and

WHEREAS, to aid the Board in determining whether the Action may have a significant adverse impact upon the environment, the Board has been supplied with a Short Environmental Assessment Form (the "EAF"), a copy of which is on file at the office of the Clerk of the Board; and

WHEREAS, the Board desires to declare itself Lead Agency for this Unlisted Action under SEQR with an uncoordinated review; and

WHEREAS, the Board and its representatives have consulted with various interested parties, viewed the site and otherwise undertaken the requisite "hard look" with respect to the Action;

NOW, THEREFORE, BE IT RESOLVED on motion by Trustee Pfeiffer, seconded by Trustee Pilewski as follows:

1. Based upon the foregoing, an examination of the EAF and the criteria contained in 6 NYCRR §617.7, the Board makes the following determination with respect to the Action:

- A. The Board hereby declares itself as Lead Agency for this Unlisted Action with an uncoordinated review;
 - B. The Action will not have significant adverse impact on the environment;
 - C. As a consequence of the foregoing, the Board hereby directs that a Negative Declaration be issued with respect to the Action; and
 - D. The requirements of SEQR have been met.
2. The Clerk of the Board is hereby directed to file a Negative Declaration with respect to the Action in the Office of the Clerk in a file that will be readily accessible to the public.
3. This Resolution shall take effect immediately.

This resolution was adopted by unanimous vote of the Board. Motion Carried 5-0

Adopt Local Law #7-2014

Motion by Trustee Pfeiffer, seconded by Trustee Pilewski to adopt Local Law #7-2014 as outlined subject to approval by County Planning. Motion Carried 5-0.

Village Centre Roof Bid Award

There were a few items either omitted or incorrectly written in the bid documents. Mr. Miller discussed those issues with Mrs. Dygert previously and he also explained that the non-collusive language is addressed in the contract and also the prevailing wage rates is also addressed in the contract document and the burden of responsibility is on the contractor to pay prevailing wage rate.

Mr. Miller had previously forwarded the bid results to the Board with the following three low bidders:

WCA Roofing and Sheet Metal	\$382,400.00
DeWald Roofing	\$383,700.00
Diamond Roofing	\$403,159.00

The bids are within the engineer's estimate for probable cost. Upon review of the three lowest bids Miller Engineers recommends award of this contract to WCA Roofing and Sheet Metal.

Motion by Trustee McGrew, seconded by Trustee Pfeiffer to award the bid to WCA Roofing in the amount of \$382,400. Motion Carried 5-0.

DEPARTMENT REQUISITIONS

Fire/EMS

- Dival Safety – Annual SCBA Maint; **Cost: \$1826.57**

Motion by Trustee McGrew, seconded by Trustee Pilewski to approve the requisition as listed. Motion Carried 5-0.

ABSTRACT

A copy of Abstract #007 was reviewed by the Board. DISCUSSION: Trustee Pilewski asked about the reimbursement to Asst Chief Pinsky. Chief Buskey explained that this is a reimbursement as Mr. Pinsky fronted the money for the material. It was on **Motion by Trustee Pilewski, seconded by Trustee McGrew to approve the General Fund abstract in the amount of \$71,010.14 and order the claims paid. Motion Carried 5-0.**

DEPARTMENT REPORTS:

1. **DPW Report** – Mrs. Abdo-Rott gave an oral version of the DPW report and explained the action items that were listed. There is a need to purchase 1000 ton of de-icing salt under Onondaga county contract and the Superintendent is requesting approval be granted for the full amount at \$46.49 per ton.

Road Salt Purchase

Motion by Trustee Abdo-Rott, seconded by Trustee Pfeiffer to approve the request to purchase 1000 ton of de-icing salt under Onondaga county contract at \$46.49 per ton for a total of \$46,490. Motion Carried 5-0.

Training Request – NYCOM DPW Superintendent

Motion by Trustee Abdo-Rott seconded by Trustee McGrew to authorize attendance by the DPW Superintendent at the NYCOM Public Works School in Saratoga Springs in October. Motion Carried 5-0.

Mr. Craw is also asking that the Village enter into an intermunicipal agreement with the Village of Fayetteville for the current practice of the cooperative use of salt brine and road salt. Attorney Brown to draft this agreement.

2. **Clerk-Treasurer Report**

a. Special Use Permit – First Baptist Church

An application was received by the First Baptist Church, 408 Pleasant Street – for approval to allow the King's Kids preschool and daycare center that is located in the building. This is a use that has been in existence for quite some time however the applicants need to follow the Special Use Permit process in order to obtain a Certificate of Occupancy.

Set Public Hearing – Special Use Permit – First Baptist Church

Motion by Trustee Pfeiffer, seconded by Trustee Noble to set the public hearing for the October 14, 2014 regular meeting. Motion Carried 5-0.

Mayor Whorral commended Clerk Dygert on her achievement of attaining the Registered Municipal Clerk certification.

3. **Fire/EMS** – Chief Buskey was present and gave an oral report to the Board. He asked the Board to consider the appointment of Jay Symonds for part-time employment within the Fire Dept. He is willing to work part-time and was the only one to score a 100% on the civil service exam.

Appointment – Part-time Firefighter Symonds

Motion by Trustee McGrew, seconded by Trustee Pfeiffer to approve the appointment of Jay Symonds as a part-time firefighter. Motion Carried 4-0.

TRUSTEE REPORTS

Trustee Noble - asks the Board to consider the requirement of a \$100 deposit for reservation of the Recreation building which will be refundable upon inspection.

Motion by Trustee Noble, seconded by Trustee Pilewski to require a \$100 deposit upon reservation of the Recreation Building. Motion Carried 5-0.

Trustee Noble explained that Ms. Sawmiller's last day was yesterday. She will be out for four months and will return at some point in January; a reminder that the Wicked Woods event is coming up. Trustee Abdo-Rott answered a question regarding the use of the outside restrooms on the Recreation Building by the Little League.

Trustee Pilewski - stated that the Board needs to draft a policy pertaining to rates for not-for-profits for reservation of the Recreation building. He stated that the Eastside Moms group is requesting this reduced rate and Ms. Sawmiller wasn't sure quite how to handle this. He would be working on a policy and bringing more information to the Board.

Trustee McGrew – stated that NYCOM training was beneficial and with three attendees from the Village, they were able to attend a number of the offered seminars.

Trustee Abdo-Rott – an update on the Beautification Committee

Trustee Pfeiffer - Is requesting that a public hearing be set for a proposed local law to amend Chapter 75 Peace and Good Order.

Motion by Trustee Pfeiffer, seconded by Trustee Abdo-Rott to set the public hearing on the proposed local law to amend Chapter 75 be set for October 14, 2014. Motion Carried 5-0.

Attorney Brown explained the changes proposed in this local law language.

ATTORNEY REPORT

Nothing to report.

MAYOR REPORT

- a. Mayor Whorral announced the upcoming Citizen Preparedness Training
- b. Requests the Board consider purchase of Holiday banners and agrees with Trustee Abdo-Rott that this is something that the Beautification committee can discuss and bring back a recommendation.

Declare Surplus – Holiday Lights

Motion by Trustee Abdo-Rott seconded by Trustee Pfeiffer to declare the “candy cane” lights surplus and allow the DPW Superintendent to come back to the Board a recommendation to dispose of these lights. Motion Carried 5-0.

- c. New pins will be ordered in both styles – the Village seal pin and also the Swan pin.
- d. Westfield Drive – Stop Signs. Mayor Whorral asks the Board to consider setting a public hearing to amend the Vehicle and Traffic Section of the Code.

Motion by Trustee McGrew, seconded by Trustee Abdo-Rott to set the public hearing on a proposed local law to amend the Vehicle & Traffic Code for the October 14, 2014 meeting. Motion Carried 5-0

PUBLIC FORUM

Judy Dardzinski informed the Board that a credit union is considered a non-profit. She also reminded the Board of the upcoming Healthy Lifestyles Fair & then later the Craft Show by the Historical Society at Village Centre.

ADJOURN

There being no further business before the Board it was on Motion by Trustee Abdo-Rott and seconded by Trustee Pilewski to adjourn the meeting. Motion Carried 5-0.

The meeting was adjourned at approximately 8:07 p.m.

Respectfully submitted by,

Martha Dygert
Clerk-Treasurer