

**VILLAGE OF MANLIUS
BOARD OF TRUSTEES
June 8, 2021 Regular Meeting**

PRESENT: Mayor Whorrall, Trustee Pilewski, Trustee McGrew, Trustee Chapman and Trustee Abdo-Rott.

ABSENT: None

OTHERS: Martha Dygert, Administrator/Clerk-Treasurer; Brad Hunt, Village Attorney; Lisa Baker, Deputy Clerk-Treasurer; Bridget Maloney, Village Planning Board; Lauren Young, Eagle Bulletin.

Mayor Whorrall opened the meeting at 7:03 p.m. The Pledge of Allegiance was recited and he welcomed those present.

PUBLIC FORUM

No one wished to speak for public forum.

COMMUNICATIONS

Manlius Volunteer Fire Co – Roster Changes

At a regular meeting of the Manlius Fire Co Executive Board on May 13, 2020, the following membership changes were voted upon:

Voted to Probationary Membership

Valerie Rados	Fire/Auxiliary
Michael Rendino	Fire/Fire Police
Anthony D'Accolti	Fire/EMS
Sharon Forbes	Auxiliary

Voted from Probationary Membership to Full Active Membership

Mikaela Dupuis-Cormier
Mike Gilbert
Laura Musa

Resigned/Removed from Membership

Ian Allen	Shannon Allen
Hanna Breen	Nyara Butts
Janice Maggio	Greg Malinowski
Kyle Marshall	Joel Roman

Motion by Trustee McGrew, seconded by Trustee Chapman to approve the roster changes as submitted.

MOTION CARRIED 4-0

NYS Municipal Workers' Compensation Alliance Plan Document

A motion was made by Trustee Pilewski, seconded by Trustee Abdo-Rott to adopt the following resolution:

WHEREAS, there has been proposed a "New York State Municipal Workers' Compensation Alliance Plan Document" pursuant to Section 50 3-1 of the Workers' Compensation Law (hereinafter "the Plan"); and

WHEREAS the Village of Manlius is eligible for membership in the Plan; and

WHEREAS the Village of Manlius has made an independent investigation of the Plan and reviewed the Plan document, and has concluded that it would be in the interests of the Village of Manlius to participate therein; now, therefore, be it

RESOLVED, that the Village of Manlius enter into membership in the Plan pursuant to Section 50 Subdivision 3-a of the Workers' Compensation Law; and be it further

RESOLVED, that Mayor Paul Whorrall be and hereby is authorized and instructed to execute the Plan's charter document on behalf of the Village of Manlius; and be it further

RESOLVED, that the custody of all joint Plan moneys by the Plan Administrator under the Plan be and the same hereby is approved.

Motion Carried 3-0
(Chapman recused)

Workers' Compensation Self Insurance

A motion was made by Trustee Pilewski, seconded by Trustee Abdo-Rott to adopt the following resolution:

RESOLVED, that the Village of Manlius hereby elects, pursuant to Subdivision 3-a of Section 50 of the Workers' Compensation Law, to become a self-insurer as to Workers' Compensation claims against this Municipality; and be it further

RESOLVED, that pursuant to Section 50 Subdivision 3-a of said Workers' Compensation Law, notice of such election shall be filed forthwith with the Chairman of the Workers' Compensation Board, Self-Insurance Section; and be it further

RESOLVED, that this election shall become effective on July 1, 2021.

MOTION CARRIED 3-0
(Chapman recused)

Charter Communications – Service Changes

The Board was presented with the lineup and service changes communicated by Charter to the Village.

COBRA – American Rescue Plan Act of 2021 (ARPA)

An e-mail received by Mrs. Dygert relative to a change in the law relating to COBRA was provided to the Board. ARPA provides for an 100% subsidy of COBRA premium for lost coverage due to an involuntary termination of an employee or family member. Mrs. Dygert explained this could have an extreme impact on the cost of health insurance over the course of the next 18 months. UMR will review the model notices and incorporate the Department of Labor language into the standard COBRA election notices sent through September 30, 2021. A list of individuals who experienced an involuntary termination of employment qualifying event will be sent to the Village.

MINUTES

- May 11, 2021 Regular Meeting

Motion by Trustee Pilewski, seconded by Trustee McGrew to approve the meeting minutes as submitted.

**MOTION CARRIED 3-1
(Chapman Abstained)**

TRAINING REQUISITIONS

- Casscles & Hoham Fire Service Instructor II Cost: \$191 each

Motion by Trustee Pilewski seconded by Trustee McGrew to approve the training requests as submitted.

MOTION CARRIED 4-0

DEPARTMENT REQUISITIONS

DPW

- Suit Kote Carey, Moulter, Elmbrook & MeadowridgeCrack Seal/Oil & Stone Cost: \$39712.12

Motion by Trustee Pilewski seconded by Trustee Abdo-Rott to approve the requisition for crack sealing as submitted.

MOTION CARRIED 4-0

Rec/4th of July

- BlueNoters 4th of July Performance Cost: \$700

Motion by Trustee Pilewski, seconded by Trustee Abdo-Rott to approve the requisition for the BlueNoters as submitted.

MOTION CARRIED 4-0

- American Fireworks 4th of July Fireworks Display Cost: \$12,000

Motion by Trustee Pilewski, seconded by Trustee McGrew to approve the contract with American Fireworks as submitted to be paid from the encumbered funds from the 2020-2021 fiscal year.

MOTION CARRIED 4-0

ABSTRACTS

RESOLUTION TO APPROVE PAYMENT OF CLAIMS

June 8, 2021

WHEREAS the Board of Trustees desires to audit and pay the claims asserted against it; and

WHEREAS, payment of certain claims in advance of the audit of claims has been approved by the Village Board annually at the Organizational Meeting, as required by law; and

WHEREAS it is required that all such claims shall be presented at the next Regular Meeting for audit, and

WHEREAS, the Village Board has been presented with the following abstracts for approval and payment;

General Fund	Abstract 013 (2020-2021)	\$119,233.06	(V983-1056)
General Fund	Abstract 001 (2021-2022)	\$118,869.75	(V001-016)
Village Centre Reno	Abstract 713	\$50,504.34	(V62)
Main St Revitalization	Abstract 405	\$8045.12	(V6)
Trust & Agency	Abstract 337	\$1,798.00	(V75-76)

May Payroll Expenses for Payroll #09 & 10 (attached) \$173,959.83

NOW THEREFORE BE IT RESOLVED:

Motion by Trustee Chapman, seconded by Trustee McGrew that the Board of Trustees of the Village of Manlius approve the payment of claims **totaling \$472,410.10** the Village Treasurer as outlined above. DISCUSSION: Trustee Pilewski had several questions on the abstract, all answered by DPW Superintendent Sherwood.

MOTION CARRIED 4-0

DEPARTMENT REPORTS

DPW – He had nothing additional to report to the Board. In his Board report he is requesting approval to surplus items as follows:

Surplus Equipment – Scag Mower

Motion by Trustee Pilewski, seconded by Trustee Abdo-Rott to approve the surplus of the Scag Mower by auction.

MOTION CARRIED 4-0

Park-A-Truck Mulch Delivery

Under “Old Business” is the issue regarding the process for delivery of mulch/brush grindings to residents in the Village. Attorney Hunt had circulated the release & hold harmless agreement he had drafted. Attorney Hunt read aloud the highlights of the agreement. After much discussion, it was agreed upon to change the language to reflect \$25 per delivery and to change mulch to “mulch/brush grindings” so that residents are aware they are not receiving top grade landscape mulch.

Motion by Trustee Abdo-Rott, seconded by Trustee McGrew to approve the Mulch Delivery Hold Harmless agreement as modified.

MOTION CARRIED 4-0

Door Hangers – Trash Violations

Assistant Superintendent Lewis circulated language he would like printed for door hangers/tote hangers where there are violations of the trash policy. Mr. Sherwood stated that there were 25 locations today that weren't picked up because of various issues – overstuffed totes with lid not closing, trash in totes not in bags, etc. With the use of the hangers, he is hoping that those residents will have the opportunity to be educated on the correct disposal. Once he speaks to them he will direct his crew to go back and pick up those locations initially.

Motion by Trustee Abdo-Rott, seconded by Trustee McGrew to authorize the printing and distribution of tote hangers as requested. MOTION CARRIED 4-0

Recycling Pickup Policy Issue

Mayor Whorrall brought the issue back up to the Board regarding certain locations where the recycling is not currently being picked up. Mr. Sherwood and Trustee Abdo-Rott stated that the policy is that we don't pick up recycling in those locations where we don't pick up trash. It was established that this was never a policy item approved by the Board. Mayor Whorrall specifically brought up the issue with Café 119 and that we had been picking up their trash and recycling for years and under the new policy guidelines, even though we can't pick up their trash as it is mostly food waste, he feels that we should be picking up their recycling if they can comply with the two-tote limit. There is an issue with trash pickup in the next door commercial building which really is like a mini-mall and that doesn't seem fair to him. Trustee Chapman agreed that they are also taxpayers and as such we should do what we can to provide them with the service.

Motion by Trustee Pilewski, seconded by Trustee McGrew to allow those who currently contract for trash collection be allowed to utilize the recycling pickup provided that they can comply with the two-tote limit for recycling. MOTION CARRIED 4-0

Fire/EMS – Chief Casscles was not present at the meeting. Mayor Whorrall stated that Chief Casscles had circulated a request to meet with all members of the Board of Trustees relative to a proposal for equipment replacement. He was able to meet and discuss this with all but Trustee Abdo-Rott. Mayor Whorrall would like to set a special Board meeting for Tuesday, June 29, 2021 at 5:00 p.m. to discuss the plan. Mrs. Dygert stated she will have a response from bond counsel by then for the Board to weigh in to the decision.

Special Meeting set for June 29, 2021 at 5:00 p.m.

Recreation – Mrs. Roet was present and she had a Contractor Agreement circulated to the Board for a group called “Soccer Shots” which provides soccer skills training to youth.

Soccer Shots – Contractor Agreement

Motion by Trustee Chapman, seconded by Trustee Pilewski to authorize Ms. Roet to execute the agreement with Soccer Shots for the soccer skills training as submitted. MOTION CARRIED 4-0

Mrs. Roet also gave an update on the Summer Playground program and the Movie Night on June 29th where there will be a food truck and Frozen 2 playing in the amphitheater.

She advised the Board that the sign for Mr. Everhart is on order and will be mounted on the Hatchery building once it is completed.

Administrator – Mrs. Dygert was present and had the following information and action items for the Board to consider:

Encumbrance – DPW Line

A request was received from DPW Super Sherwood asking to encumber \$5500 into the 2021-2022 Village budget to purchase lumber for a lean-to in the DPW Yard.

Motion by Trustee Abdo-Rott, seconded by Trustee Chapman to authorize the encumbrance of \$5500 into the A1640.400 line of the 2021-2022 Village budget. MOTION CARRIED 4-0

Appointment Bailiff - Cianfracco

Due to the recent resignation of bailiff Keith Wilcox, as approved by soon-to-be Village Justice Jaffe, the Board needs to appoint a replacement and Louie Cianfracco has agreed to take the position.

Motion by Trustee Pilewski, seconded by Trustee McGrew to approve the appointment of Louie Cianfracco of Chittenango, NY to the position of Court Bailiff, effective immediately. MOTION CARRIED 4-0

Time Warner/Charter Communications Franchise Tax Credit

WHEREAS, New York Real Property Tax Law ¶94-853, §626 provides for deductions allowed against taxes on special franchises; and

WHEREAS, Time Warner Cable has paid the Village of Manlius franchise fees in the sum of \$98,324.82 for the calendar year 2020, which exceeds the Real Property Taxes levied; now, therefore, be it

RESOLVED, on motion by Trustee Chapman, seconded by Trustee McGrew, that the Village of Manlius Board of Trustees authorize the Treasurer to enter a credit on the tax roll in the amount of \$813.76 for taxes assessed against Time Warner Cable. MOTION CARRIED 4-0

Budget Amendments & Wage Schedule Amendment 2021-2022 Village Budget

An error was found in the computation of the pay rate for the Deputy Clerk-Treasurer with a difference totaling \$1932.

The wage schedule incorrectly had her new salary amount listed as her current salary amount when she should have received a 4% increase. Mrs. Dygert is requesting that the adopted wage schedule be amended to reflect the correct

base salary amount of \$48,365.20 and a budget adjustment of \$1932 to be added to A1325.100 from A1990.400 Contingent Account.

Motion by Trustee Pilewski, seconded by Trustee Abdo-Rott to approve the budget amendment and wage schedule adjustment as submitted. MOTION CARRIED 4-0

Amphitheater Request – FM Girl Scouts Bridging Ceremony

The request was submitted by Nikki Miller for use of the amphitheater on June 17th for their Bridging Ceremony. This request was circulated to the Board after the last meeting on May 11, 2021.

Motion by Trustee Abdo-Rott, seconded by Trustee Pilewski to approve the request for use of the amphitheater as submitted. MOTION CARRIED 4-0

Amphitheater Request – FM Crew Team Ceremony

A request was received from Caitlin Graff requesting use of the Amphitheater on June 19, 2021 for the team recognition ceremony.

Motion by Trustee Chapman, seconded by Trustee Pilewski to approve the request made by the F-M Crew for use of the Amphitheater on June 19, 2021. MOTION CARRIED 4-0

Liquor Authority Correspondence – 4th of July Event

As is done annually, the letter to the NYS Liquor Authority on behalf of the Lions Club was presented to the Board for review.

Motion by Trustee Chapman, seconded by Trustee Abdo-Rott to authorize the Clerk to forward the letter to the Liquor Authority as drafted. MOTION CARRIED 4-0

Village Historian Report

The Board was presented with a copy of the Village Historian's report submitted by Barbara Rivette for the 2020-2021 year.

Mayor's Report

- **Mainstreet Revitalization Project update** – the orders are being placed for the furniture and clock. Construction to start soon and some of the businesses have completed their projects.
- **SMTC** – meetings were held last week with the businesses and although there wasn't a huge turnout they were very productive meetings. The survey responses which have come in reflect many with the same concerns. They will be meeting with interested residents at the end of the summer.
- **Safety Committee** – will be meeting Thursday, June 17th at 1:00 p.m. and the topic will be focused on compliance with the sexual harassment legislation. Mrs. Dygert stated that our EAP group has offered to do the Sexual Harassment training at no cost to us. She will forward contact information to the Mayor.
- **4th of July Parade and Celebration** – Mayor Whorrall received a communication from Miss New York expressing an interest in being involved in the Village's 4th of July Celebration. He has responded that both she and the Miss Teen New York are both welcome to participate in our parade.
- **Pride Banner** – A request for placing a Pride banner on utility poles in the Village was submitted. The Board discussed this issue at length. They have already made the determination that the Village should not fly a flag on the flagpole at the entrance to Village Centre – which is strictly for the US Flag, State Flag and POW/MIA Flag. They offered to allow the group to place signage at the point or contact the Manlius Library to see if a banner can be placed on the front of the building which would be highly visible to the public. The Board wanted to be clear that they wholeheartedly support the mission of the LGBTQIA community and their desire to increase awareness.
- **Run for the Fallen** – June 11th at Mill Run Park.
- Mayor's Association meeting will be held on June 16th
- Ceremony honoring Judge Greenman is to be held on June 17th at 5:00 p.m.

Trustee Reports:

Trustee Chapman – gave more information on the SMTC meeting.

Trustee McGrew – Nothing new with the Police Department. Is asking if the Board would consider re-opening the Whorrall Community Room at the Fire Station for reservations. Caucus of the Board resulted in approval.

Trustee Pilewski – Nothing additional to report.

Trustee Abdo-Rott – Beautification Committee replaced several plants on the streets which had been damaged by frost and we also lost one planter which was hit by a car. They would like to propose the purchase of self-watering round planters to be purchased over a three-year period which will save on overtime and manpower. She also discussed the crosswalk on Rte 173 in front of her business and discussed other areas where she felt sidewalks would be needed.

Attorney Report:

Methodist Church Parking Lot Lease

A lease agreement was drafted and circulated to the Board for review. This agreement would be a 5-year agreement with renewal options in 5-year blocks thereafter. He spoke with the Church representatives and they are willing to execute the agreement with the understanding that the Village would pave and maintain the parking lot. The only exclusions to use would be on Sundays and when they are holding a large event. With execution of the agreement by both parties, this will become a municipal parking lot.

Motion by Trustee McGrew, seconded by Trustee Chapman to authorize Mayor Whorrall to execute the lease agreement with the Methodist Church. MOTION CARRIED 4-0

Public Hearing – Cannabis Opt-Out Local Law

The Village will hold a public hearing on July 13, 2021 for proposed Local Law 2-2021 which, if adopted, will be subject to a permissive referendum.

Attorney Hunt also stated that there is a need for a brief executive session for a matter relating to pending litigation.

Trustee Abdo Rott would like to see the prior approval amended for the Methodist Church Parking Lot lease as she would like to have it be of longer duration based on the cost to the Village to perform the work.

Methodist Church Parking Lot Lease – Amended

Motion by Trustee Abdo-Rott, seconded by Trustee Chapman to amend the previous motion to change the language from 5-year lease to a 30-year lease or as close to 30 years as can be attained. MOTION CARRIED 4-0

Carrol's Corp Lease Agreement

Attorney Hunt discussed the Carrol's Corp lease agreement. He stated that the attorney for Carrol's would like to see a tax credit based on the percentage of land that will be designated for Village use. He will continue negotiations.

Executive Session

Motion by Trustee Abdo-Rott, seconded by Trustee McGrew to leave the regular meeting and enter executive session for the purpose of discussing a matter relating to pending litigation. **MOTION CARRIED 4-0**

Board entered executive session at approximately 8:58 pm.

Motion by Trustee McGrew, seconded by Trustee Pilewski to come out of executive session and re-enter the regular meeting at 9:12 pm. **MOTION CARRIED 4-0**

ADJOURN

Motion to adjourn the meeting made by Trustee Pilewski, and seconded by Trustee McGrew at 9:10 p.m.

MOTION CARRIED 4-0

Respectfully submitted by,

Martha Dygert
Administrator/Clerk-Treasurer