

VILLAGE OF MANLIUS
BOARD OF TRUSTEES
June 13, 2023, Regular Meeting

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

OTHERS: Lisa Baker, Clerk/Treasurer; Brad Hunt, Village Attorney; Mike Decker, Codes Enforcement Officer; Christine Roet, Recreation Director; Chris Sherwood, DPW Superintendent; Ann Smith, Senior Centre Director; Lisa Lucken, Virginia Verdoes, Brian McAllister, Louis Muraco, Rebecca & James with the Rolling Rust, Dan & Maggie Hickey, Laura Lope, Dr Luise Brenda Velez, Kelly & Rick Taylor, Jane Mulvey, Martha Lacy, Mytes Howard, Jean Young, Rosalee Collmer, Len DiMaggio, Amy Kruse, Scott & Deb McGrew, Alissa Italiano, Nancy Italiano, Tony Italiano, Time Kelly, Russ Hayne, Norman Frost, Judy Dardzinski, Kurt Noll, Judy Salamon, Karen Dobbertin, Annette Giordano, Karen Esformes, Matt Napierala; Napierala Consulting, Philip Maloon, Meloon Enterprises; Don Gates, Donald Radecki Jr., Mike McCracken, Wahio Akl, Jen & Teddy, Steve Richardson, David Muraco, Michael Silberberg, Maria Moore, Robyn & Danny Aiello and Joni Steigerwald.

Mayor Whorrall opened the meeting at 6:02pm with the Pledge of Allegiance. He welcomed everyone that attended the June 13, 2023, meeting.

Public Hearing for Zone Change to allow outdoor seating.

Mayor Whorrall opened the Public Hearing at 6:05pm for a zone change to allow outdoor seating.

Motion by Trustee Abdo-Rott, seconded by Trustee Pilewski to open the Public Hearing for a zone change to allow outdoor seating. **MOTION CARRIED 4-0**

Trustee Chapman addressed the need to correct the wording in the code to allow outdoor seating in a C zone. He stated we have allowed this already but need to modify the code to allow this. The committee has made a recommendation to bring to the board to make this change which includes the meeting to be open to the public. Mayor Whorrall asked for anyone who would like to speak on this. No response.

Motion by Trustee Chapman, seconded by Trustee Abdo-Rott to close the public hearing for a zone change to allow outdoor seating. **MOTION CARRIED 4-0**

Mayor Whorrall announced that the zoning will be referred to the County for review before we are able to vote on a decision.

Public Hearing for Zone Change on Stickley Dr (C or C1)

Mayor Whorrall opened the Public Hearing at 6:10pm for a zone change on Stickley Dr.

Motion by Trustee Pilewski, seconded by Trustee Abdo-Rott to open the Public Hearing for a zone change on Stickley Dr. **MOTION CARRIED 4-0**

Trustee Chapman explained that the code review committee had met on the option of a drive-thru on Stickley Dr. and all felt there was a need for more research and study before a decision can be made. In the meantime, we still have a building that is zoned for municipal use, and it needs to be zoned into a commercial zone. The option is C or C1, the only difference is a C1 gives you the opportunity to apply for a special permit for a drive-thru. We have an applicant that has applied for a C1 zone.

Mayor Whorrall asked for anyone that would like to speak on this.

Matt Napierala from Napierala Consulting spoke representing the owners Dave and Louis Muraco and the developers Mike McCracken from Restaurant Hospitality Group. The request is to change the zone for that property. The main issue is that zoning needs to be established. The property adjacent is a C1 zone. The C zone does not allow outdoor seating or drive-thru. C1 allows both. Therefore, the development interest is a restaurant with a C1 zone. They have been working on this for 6 months and would like to get an answer. The matter before the board tonight is not a drive through but a zone change. If a C1 is established, this is just a step, and they would still have to go through a special use permit and they would thoroughly review all of the concerns of the area.

Mayor Whorrall asked if any others would like to speak.

Alissa Italiano; Verbeck Dr.- Commented that if you zoned the old firehouse a C1, that is the only area that would be since the rest of the area is recreational. She does not feel commercial should be in that area with all the children in the area. It will also increase traffic. She is against the idea.

Amy Kruse; 7361 Dogwood Ln. – Feels safe in that area now. She feels it is not a zone change issue, but it is a matter of our community and the safety of our kids. She is against the idea.

Eva Gabenham; 4608 Holy Dr. – She is not against the idea of a restaurant, just maybe not this one and maybe not at that location. Agrees with the previous 2 speakers.

Joe Messineo; 8370 Salt Springs Rd. – He commented that villages are built by developers who risk their money to provide the services that we all use. He has no commercial interest in this. He stressed that we have a great developer that built a great coffee shop out of a bank. We are going to see a trend of banks closing, so this will mean more stranded buildings. He supports the developers that are willing to put their money into our community to develop attractive structures.

Brian McCallister; 150 N. Burdick St. – Lives by the Town Center. He has watched the area develop. Asked how many have noticed the crime and traffic that has increased in that area. The traffic in the Village of Manlius is already awful, would like us to please think hard about what is brought to the village.

Karen Esformes; Jarvis Dr. – Asked when the Firehouse was sold. Codes Officer Mike Decker stated 2019. She feels it is beautiful and a different restaurant would be nice.

Maria Moore; Sagebrush Circle – She feels that the professionals should be in charge and decide what is best for the village.

Attorney Hunt just wanted to reiterate that the Board of Trustees would not be voting tonight, and this would need to go to the Onondaga County Planning Board for comments before it is returned to the Village. Trustee Chapman stated this will be the only public hearing.

Luisel Brenda Velez; 4614 Widgeon Path – Feels we need to move forward with the time. She is in favor of the zone change.

Mike McCracken with Hospitality Restaurants – wants to thank everyone for coming and welcomes the concerns. All concerns are being investigated. A drive-thru is a slow process and not as dangerous as you may feel. Taco Bell is a family restaurant, and their main customers are young kids. Laura Laden resides on Smith Street – opposed to any steps to make it easier for a drive thru. Feels no matter how many steps to make it safe, a drive thru will increase the traffic.

Kelly Taylor resides at 4825 Carey Dr. – Has children that attend the recreation program. Feels even with responsible drivers it would be disastrous to put a drive thru in.

Louis Muraco, one of the owners of the property. Property was already approved for a restraint, looking for a C1 zoning for the property. Drive through's they do move slowly as apposed to cars backing in and out.

Mike Silberberg from Cazenovia, and owns several properties within the village. He agrees on the safety of the children however we do not need any more vacant buildings. It is a beautiful place to do business and it is important to progress and not let buildings fall to the waste side.

Joni Stigerwald resides on Everglades - Traffic is a concern but also need to progress with the economy.

Dave Muraco- owner of property – Banks are closing and there are a lot of vacancies. He would like to see both Dunkin Donuts and Taco Bell get the zone change to C1. Asks for the flexibility for the developers to continue to grow and give them the opportunity for a C1 zoning.

Brian McCallister from Fayetteville- would like the developers to develop a youth center for the kids to have a place to go.

Mayor Whorral spoke on the vacant buildings. We work hard to fill the buildings, but it is hard when the owners do not want to sell. We are trying to get grants for people to buy these buildings and also renovate.

Mike Decker our Codes Officer resides in New Woodstock but grew up in the Village of Manlius. Has been with this position for 5 years. We spend a lot of time policing vacant properties. Unfortunately, it is getting worse not better. Banks closing is a concern. He has a concern on the village developing. He understands the concerns on the drivethru but hopefully we can think about the direction we are going in 5-10 years to make some changes.

Mayor Whorral asked to close the Public Hearing.

Motion by Trustee Pilewski, seconded by Trustee Abdo-Rott to close the public hearing for the zone change on Stickley Dr. **MOTION CARRIED 4-0**

COMMUNICATIONS

Justice Court Letter for Audit

Motion by Trustee Abdo-Rott, seconded by Trustee Pilewski to approve the Audit by the Internal Audit Services Unit. **MOTION CARRIED 4-0**

Manlius Volunteer Fire Co Letters

Mayor Whorral read the letters of changes withing the volunteer firefighters.

Mayor and Board of Trustees:

This is to formally notify you that at its regular meeting on May 11, 2023, the Manlius Volunteer Fire Company voted for the following people in regards to membership:

Moved from “Active Life Member” to “Retired Life Member” (non-operational):

John Buskey

Yours Truly,

Rob Furey

Mayor and Board of Trustees:

This is to formally notify you that at its regular meeting on June 8, 2023, the Manlius Volunteer Fire Company voted for the following people in regards to membership:

Voted to Probationary Membership:

Mary Kathleen Burke

Forrest Deitz

Jeffrey Granger

Jennifer Granger

Damien Russell

Moved from “Probationary Member” to “Full Active Member”:

Mary Feck

Katherine Gilligan

Amie Hornick

Sivan Juran

Moved from “Junior Member” to “Probationary Member”:

Kelton Young

Yours Truly,

Rob Furey

Secretary

Motion by Trustee Pilewski, seconded by Trustee Oley to approve the letters submitted from the Manlius Volunteer Fire Company. **MOTION CARRIED 4-0**

Manlius Antique & Classic Car Club held on Monday Nights

Motion by Trustee Abdo-Rott, seconded by Trustee Pilewski to approve the Antique & Classic Car show on Monday nights. **MOTION CARRIED 4-0**

AGREEMENT

Michael Bean Agreement for the Swans.

Motion by Trustee Abdo-Rott, seconded by Trustee Pilewski to approve the agreement for Mike Bean on the maintaining of the Swans. **MOTION CARRIED 4-0**

Removal of Signs on NorthGate Dr.

Trustee Chapman spoke on the request from a resident on North Gate Dr. Signs were put up on North Gate Road years ago for football games at the Highschool. The district office has a new parking lot now, so it has not been an issue. He had sent a petition to adjacent neighbors plus a letter was sent by the clerk on the removal of the signs. No objections were made.

Motion by Trustee Chapman, seconded by Trustee Pilewski to approve the removal of the parking signs which can be reversed if there are any issues. **MOTION CARRIED 4-0**

Senior Center Agreement

Motion by Trustee Chapman, seconded by Trustee Abdo-Rott to approve the Senior Center Agreement for \$54,300.00 **MOTION CARRIED 4-0**

Franchise Agreement for Time Warner Cable

RESOLUTION AUTHORIZING TAX CREDIT FOR FRANCHISE

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 \$95,003.87 for the calendar year 2022, which exceeds the Real Property Taxes levied; now, therefore, be it

RESOLVED, on motion by Trustee Abdo-Rott, seconded by Trustee Pilewski, that the Village of Manlius Board of Trustees authorize the Treasurer to enter a credit on the tax roll in the amount of \$735.73 for taxes assessed against Time Warner Cable.

ROLL CALL:

Trustee Abdo-Rott AYE

Trustee Chapman: AYE

Trustee Pilewski: AYE

Trustee Oley: AYE

Mayor Whorrall AYE

Motion by Trustee Abdo-Rott, seconded by Trustee Pilewski to approve the Franchise Agreement for Time Warner Cable. **MOTION CARRIED 4-0**

MINUTES

- April 25, 2023 Budget Workshop Minutes

Motion by Trustee Pilewski, seconded by Trustee Oley to approve the April 25, 2023, Budget Workshop Meeting minutes as submitted. **MOTION CARRIED 4-0**

- May 9, 2023 Regular Meeting

Motion by Trustee Pilewski, seconded by Trustee Abdo-Rott to approve the May 9, 2023, Regular Board meeting minutes as submitted. **MOTION CARRIED 4-0**

- May 23, 2023 Special Grant Meeting

Motion by Trustee Chapman, seconded by Trustee Pilewski to approve the May 23, 2023, Special Grant meeting minutes as submitted. **MOTION CARRIED 4-0**

DEPARTMENT REQUISITONS

- Senator Gillibrand 1st Responder Summit Fire/EMS Training Request Cost: \$1804.60

Motion by Trustee Pilewski, seconded by Trustee Abdo-Rott to approve the Fire/EMS training request requisition as submitted. **MOTION CARRIED 4-0**

ABSTRACT

RESOLUTION TO APPROVE PAYMENT OF CLAIMS
May 9, 2023

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 2022-2023	Abstract 013	\$128,730.27	(V737-831)
General Fund 2023-2024	Abstract 001	\$262,259.60	(V737-831)
Trust & Agency	Abstract 356	\$ 393.00	(V94)

AND

May Payroll Expenses for Payroll #09 & #10 (attached) \$176,757.21

NOW THEREFORE BE IT RESOLVED:

That the Board of Trustees of the Village of Manlius approve the payment of claims totaling \$568,140.08 by the Village Treasurer as outlined above.

Motion by Trustee Chapman, seconded by Trustee Pilewski to approve the Abstract and Payroll as presented. **MOTION CARRIED 4-0**

DEPARTMENT REPORTS

Recreation- Recreation Director Christine Roet was present.

- Concerts are set for the summer; Senior Centre and the Fire Auxiliary will be participating.
- Dabble will be performing at the Amphitheater on June 16th.
- Fishing Derby & Child Safety Day went well, would like to make it an annual event.
- Doug's Fish Fry was a success.
- Facility Reservation deposits cannot be completed online. Would like thoughts on omitting the security deposit and only charging if there is damage after an event.

Trustee Abdo-Rott feels there should be more discussion on this. She would also like the Recreation Boards opinion.

- Would like to offer the village rate to the employees of the village for the playground program.

Motion by Trustee Abdo-Rott, seconded by Trustee Chapman to give the village rate to village employees for the playground program. **MOTION CARRIED 4-0**

DPW- Superintendent Chris Sherwood was present.

- For safety reasons they will be closing 100 feet of Everglades Dr. This means ¾ of the way up, those residents will be able to travel up and down, the other side will have to go around.

CODES- Codes Enforcement Officer Mike Decker was present.

- Food Truck Permits- the proposal is \$75.00 yearly fee for inspections and \$30.00 event use fee. If they stay longer than a \$50.00 permit fee. NYS is requiring food truck safety inspection which food trucks have increased significantly. NYS licensing services and up to each municipality to do the proper food truck inspections. This would help monitor the location and operations of the food trucks. Trustee Abdo-Rott commented would not like to make this proposal cumbersome.

Motion by Trustee Oley, seconded by Trustee Chapman to create a building code permit for food trucks on an annual inspection fee of \$75.00 and \$30.00 for the event fee. **MOTION CARRIED 4-0**

FIRE- Chief Casscles was not present.

- All new Fire Apparatus should be in house by June 26, 2023, and in service.
- Jr Firefighter Boot Camp will be starting July 17- 22
- July 5th is the American Red Cross Blood Drive

Motion by Trustee Chapman, seconded by Trustee Abdo-Rott as the buybacks and training at those amounts be a wash. **MOTION CARRIED 4-0**

CLERK- Lisa Baker was present.

- Our new employee to the office Jenna Spendle started this week, she is doing a great job.
- Village taxes were mailed, and payments have been received.
- Separation agreement for Tyler Baker

Motion by Trustee Chapman, seconded by Trustee Abdo-Rott to approve the separation agreement as presented. 7/22/23. **MOTION CARRIED 4-0**

SENIOR CENTRE- Ann Smith, the Senior Centre Director, was present.

- Thank you for approving the Senior Centre agreement.
- It is the 75th year anniversary with the Senior Centre.

MAYOR'S REPORT

- The Onondaga County Community Development is moving along. We have signed the contract for the Main Street Revitalization.
- We are working on the NY Forward proposal. The Mayor would like board approval to move forward with MRB.

Motion by Trustee Abdo-Rott, seconded by Trustee Chapman to move forward with MRB to work on the NY Forward application for \$6,500.00 **MOTION CARRIED 4-0**

Mayor Whorral shared with the public that we had applied for this last year and did not get the grant, but if we get it this year, we will get 2 ½ to 4 ½ million for main street revitalization.

- Rolling Rust and AW Wonder are having a Block party on July 4th. They are requesting to close off Wesley St. and to approve the open container Liquor license.

Motion by Trustee Chapman, seconded by Trustee Pilewski to approve the street closing and open container license on July 4th. **MOTION CARRIED 4-0**

James and Rebecca that own Rolling Rust, spoke on the event. The fee charged is for the bands.

- June 21 at 7pm we will be meeting with the Muslim Community
- June 22 is the Mackenzie Hughes Clambake
- June 21 is the Onondaga County Mayor's Association Dinner
- Police Lease- This is due, and we have the pricing for the renovations of their area which is \$107,000. We need to discuss this with the finance committee to decide what to put in the contract.
- FEMA- Limestone Street Trash Rack. The cost of the village will be approximately \$270,000.00 to complete the project and FEMA will reimburse \$125,000.00. Sherwood commented that he spoke with FEMA and FEMA and the State see no problem with us receiving the reimbursement. Trustee Pilewski feels we have no choice, and it needs to be done. Trustee Chapman commented we may be able to apply for a grant to this project. Trustee Abdo-Rott also agreed we need to move forward.

Motion by Trustee Pilewski, seconded by Trustee Chapman to move forward on the Limestone St. Trash Rack Project. **MOTION CARRIED 4-0**

- Request from the Judge and Court Clerk to put on 2 additional bailiffs for Thursday night.

Motion by Trustee Chapman, seconded by Trustee Pilewski for additional security for Thursday Court Night. **MOTION CARRIED 4-0**

Mayor Whorral commented he would like to go into an executive session at the end for a past employee.

TRUSTEES

Trustee Oley

- Finished the Police Academy
- Has been working with Mike on the vacant properties.
- He will be attending the meeting with the Senior Centre.

Trustee Chapman

- Meeting regularly on grants.
- Meeting with DPW on cost estimates for grants for public projects.
- Podcasts will be starting again soon.

Mayor Whorral commented on the 4 murals that are displayed and being completed. The artist is Mark Noble.

Trustee Abdo-Rott

- Working with Mike on the new entrance signs to the village.
- Meeting with the DPW and installers on the pathway by the amphitheater.
- Waiting for the meeting with the DOT for trees throughout the village.
- Also waiting to meet with them in regard to Liberty Park (pocket park).

Trustee Pilewski

- Fire new trucks being delivered June 26 and in service July 1. When purchasing 5 firefighter trucks together with Fayetteville we saved \$100,000.00 each.
- After 5 months the Police Committee met and started the process of hiring a new Police Chief. The committee is working on a job description. Chief Cassalli is interim and doing a great job.

ATTORNEY- Attorney Hunt was present.

- He is working with the Village of Fayetteville attorney and the Town of Manlius Attorney on the shared agreement. A draft will be presented to the board.
- He has spoken with NYCOM on engineering fees with development applications & material and is working on this. Needs to work with Martha Dygert on previous applications.
- Working on an easement to put the trash rack in with a property owner.

PUBLIC FORUM

Mayor Whorrall reiterated the rules with the public forum. He asked that residents keep it to a minimum of 5 minutes and to keep it civil. Please state your name and address. He will let the village of Manlius Residents speak.

Mayor Whorrall read a letter regarding the issue with the swans.

Chris McKee asked if the new electronic sign cycle time could be slower with the notifications.

Jennifer Teddy; 2 Willow Lane -feels the swans need to stay.

Karen Esformes; Jarvis Dr. – Feels we need to keep the swans. We need more security. Mayor Whorrall shared that more cameras will be installed, and a curfew will be implemented.

Virginia Verdoes; 4770 Sabre Ln – In favor of keeping the swans. She saw the petition, and most are not from the area. She hopes decisions will not be made from this petition. Mayor Whorrall stated most of the positive comments are from the area. The negatives are coming from outside areas. He stated we will do what we feel is best for our area.

Judy Dardzinski; 4898 Ledyard Dr.- In favor of the swans. Suggested a topiary in the shape of a swan would be nice so that we always have that. We need more efforts to be positive not negative.

Jane Young; Decoy Run – Supporter of the swans.

Michell; Watervale Rd. – Feels the village and the police department have done a great job. She feels we need to get in touch with the governor. Feels they need to be punished for their actions.

A resident brought up the article written by Susan Baxter that was in the post standard. Commented on how Susan had grown up in this village and loved the charm of Manlius and the swan pond. She could not imagine the thought of losing this if the swans were removed. All attending the meeting agreed it was a beautiful article.

A resident commented on the three boys and stressed how we need justice. The Mayor stated that people needed to contact the state legislature for we have no control of the verdict.

The board all agreed that we are not getting rid of the swans. The residents all applauded.

Mayor Whorrall explained more on increasing the lighting of the pond and installing 24/7 cameras that the public will be able to monitor at the Daily Diner. A resident was concerned about why this was not in place before. The mayor explained that the previous administration had cameras on the building by the pond, and when new owners took over, they had the cameras removed for they felt it was a liability. When Mayor Whorrall had taken the position, he was not aware of this transpiring beforehand.

A resident asked if they would have to remove Manny? Mayor Whorrall stated that our biologist, Mike Bean will be the one to make the decision. The Mayor explained that Manny becomes aggressive with the babies when they get older, that is why they need to be removed for Manny feels they are a threat to his mate.

The Mayor explained it has been a hard time for the village and his staff. Chapman thanked our employees and police department for everything they have done. It has been a very emotional time for all of us. Especially the Mayor, for he knows this village means everything for him.

Deb McGrew; Glencliffe Dr. – She wanted to share her experience while attending the Police Department press release. The emotion that people were feeling was overwhelming. She wants to commend them for all they do for the village. She is wholeheartedly in favor of the swans.

ADJOURN

Mayor Whorrall requested the meeting be adjourned at 8:35pm for the executive session for personal matters involving specific employees.

Motion by Trustee Pilewski, seconded by Trustee Abdo-Rott to adjourn to executive session.

MOTION CARRIED 4-0

Motion by Trustee Pilewski, seconded by Trustee Abdo-Rott to adjourn the executive session at 8:55pm.

MOTION CARRIED 4-0

Mike Bean's Swan Agreement

Motion by Trustee Chapman, seconded by Trustee Pilewski to increase the monthly Swan agreement to \$125.00.

MOTION CARRIED 4-0

Mayor Whorrall motioned to adjourn the meeting at 9:00pm.

Motion by Trustee Abdo-Rott, seconded by Trustee Pilewski to adjourn the meeting at 9:00pm.

MOTION CARRIED 4-0

Respectfully Submitted by,
Lisa Baker
Village Clerk