

**THE VILLAGE OF MANLIUS  
BOARD OF TRUSTEES  
February 23, 2010**

**PRESENT:**

Mayor Serafin, Trustees Abdo-Rott, Hopkinson, Krouse, Lane, McGrew, Miner

**OTHERS:**

Attorney Jeff Brown, Clerk Treasurer Lisa DeVona, John Loeffler, Helen & Steve Chamberlain, Matt Hodinger, Marilyn Jeffrey

The meeting was called to order at 7:00pm. The Pledge of Allegiance was recited and Mayor Serafin welcomed those present.

**RFP – FOR A STUDY OF LOCAL FIRE & EMERGENCY SERVICES**

Councilman John Loeffler updated the board and stated as of last week the Manlius Town Board, villages of Fayetteville and Minoa approved the latest version of the RFP. A discussion took place regarding the impact on the tax rate and if a comparison of the current tax rate for fire services versus future tax rate as a consolidated fire district.

Trustee Miner entered the meeting at 7:10pm.

Trustee McGrew made a motion, seconded by Trustee Krouse to approve the RFP – For a Study of Local Fire & Emergency Services. Motion carried; 7-0.

Mayor Serafin thanked Councilman Loeffler.

**MEETING MINUTES**

Trustee Abdo-Rott made a motion, seconded by Trustee Krouse to approve the meeting minutes of February 9, 2010 as amended. Motion carried; 7-0.

**PUBLIC HEARING – COMMUNITY DEVELOPMENT**

Trustee McGrew made a motion, seconded by Trustee Abdo-Rott to open the public hearing. Motion carried; 7-0.

Attorney Jeff Brown stated the Onondaga County Office of Community Development is requesting project proposals for the 2010 Community Development Block Grant Program administered by the U.S. Department of Housing and Urban Development (HUD). Applications are due on March 5, 2010 and funds are awarded based on project eligibility which is determined by the type of activity and the location of the project. The maximum award amount is \$100,000.00 and a 25% match is required by the applicant which can be in the form of in-kind services, fundraising or cash.

**Bicentennial Park**

Demolition of a condemned house located at 301 Pleasant Street in the Village and the creation of a pocket park in its place.

Total Project Cost	\$100,000 (approximate)
Village Share @ 25%	(\$25,000)
CDBG Funds Requested	\$75,000

**Sidewalk Replacement Project**

Moulter Street Replace 500 feet of sidewalk on the east side between Pleasant Street and Smith Street; Scoville Avenue, replace approximately 235 feet of sidewalk on the east side of Scoville Street between Pleasant and up to 104 Scoville Avenue; Elmbrook Avenue, replace approximately 40 feet of sidewalk on the north side of Elmbrook Drive at the intersection of Fairhurst Drive and relocate two (2) catch basins.

Total Project Cost	\$128,700
Village Share @ 25%	(\$32,175)
CDBG Funds Requested	\$96,500

**Village Centre Park ADA Improvements**

Widening and resurfacing of existing walking trails surrounding the Village Centre Park to make them handicapped accessible.

Total Project Cost	\$107,108
Village Share @ 25%	(\$26,777)
CDBG Funds Requested	\$80,331

Matt Hodinger, 7800 Old Orchard Court, stated all three are nice proposals and hopes to see them complete.

Trustee McGrew made a motion, seconded by Trustee Krouse to close the public hearing. Motion carried; 7-0.

Mayor Serafin closed the public hearing at 7:29pm.

Trustee McGrew made a motion, seconded by Trustee Abdo-Rott to submit all three projects and authorize Mackenzie Hughes, LLP to prepare the applications. Motion carried; 7-0.

**RESOLUTION OF THE VILLAGE OF MANLIUS  
BOARD OF TRUSTEES**

AUTHORIZING THE MAYOR TO ENTER INTO A GRANT APPLICATION FOR THE ONONDAGA COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT 2010 PROGRAM TO FUND THE CREATION OF THE VILLAGE OF MANLIUS BICENTENNIAL PARK

WHEREAS, applications are now available from Onondaga County Community Development for the funding of certain projects;

WHEREAS, 301 Pleasant Street in the Village of Manlius, New York is approximately ½ acre in size containing a severely deteriorated two-story residential frame structure;

WHEREAS, the Village intends to demolish the structure and create the Village of Manlius Bicentennial Park (“Bicentennial Park”) in its place consisting of park benches, shrubs and trees;

WHEREAS, the Village of Manlius Board of Trustees has set a public hearing date of February 23, 2010, which was published in its official newspaper to insure that all citizens were given an opportunity to express their views pertaining to the proposed creation of Bicentennial Park, the Community Development Block Grant Application for the proposed project and to present projects for consideration in preparation for the Village of Manlius 5-Year Consolidated Plan;

WHEREAS, in accordance with the requirements of the Community Development Block Grant Application and if funding is awarded for the proposed project, the Village of Manlius agrees to apply \$8,800.00 as their 25% cash match, which represents a portion of the purchase price of the property, with the total project cost estimated to be \$35,100.00;

NOW THEREFORE, BE IT RESOLVED, that the Village of Manlius Mayor, Mark-Paul Serafin, shall make application on behalf of the Village of Manlius in the amount of \$26,300.00 for the 2010 Onondaga County Community Development Block Grant Program; and be it further

RESOLVED, that the Village of Manlius Board of Trustees shall also submit to Onondaga County Community Development its 5-Year Consolidated Plan in letter format, to be included with the Community Development Block Grant Application by Friday, March 5, 2010 and provide them with a copy of this resolution.

**RESOLUTION OF THE VILLAGE OF MANLIUS  
BOARD OF TRUSTEES**

**AUTHORIZING THE MAYOR TO ENTER INTO A GRANT APPLICATION FOR THE  
ONONDAGA COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT 2010 PROGRAM  
TO MAKE CERTAIN SIDEWALKS HANDICAPPED ACCESSIBLE**

WHEREAS, applications are now available from Onondaga County Community Development for the funding of certain projects;

WHEREAS, the sidewalks located along the east side of Moulter Street, the east side of Scoville Avenue and the north side of Elmbrook Avenue are cracked and deteriorated and not handicapped accessible, it’s deemed necessary to replace certain areas of such sidewalks;

WHEREAS, the Village of Manlius Board of Trustees has set a public hearing date of February 23, 2010, which was published in its official newspaper to insure that all citizens were given an opportunity to express their views pertaining to the proposed replacement of sidewalks, the Community Development Block Grant Application for the proposed project and to present projects for consideration in preparation for the Village of Manlius 5-Year Consolidated Plan;

WHEREAS, in accordance with the requirements of the Community Development Block Grant Application and if funding is awarded for the proposed project, the Village of Manlius

agrees to pay \$29,975.00 in the form of in-kind services, which represents 25% of the required cash match of the total project cost estimated to be \$119,900.00;

NOW THEREFORE, BE IT RESOLVED, that the Village of Manlius Mayor, Mark-Paul Serafin, shall make application on behalf of the Village of Manlius in the amount of \$89,900.00 for the 2010 Onondaga County Community Development Block Grant Program; and be it further

RESOLVED, that the Village of Manlius Board of Trustees shall also submit to Onondaga County Community Development its 5-Year Consolidated Plan in letter format, to be included with the Community Development Block Grant Application by Friday, March 5, 2010 and provide them with a copy of this resolution.

**RESOLUTION OF THE VILLAGE OF MANLIUS  
BOARD OF TRUSTEES**

AUTHORIZING THE MAYOR TO ENTER INTO A GRANT APPLICATION FOR THE ONONDAGA COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT 2010 PROGRAM TO FUND HANDICAPPED ACCESSIBLE IMPROVEMENTS TO THE EXISTING TRAILS SURROUNDING THE CENTRE POND IN VILLAGE CENTRE PARK

WHEREAS, applications are now available from Onondaga County Community Development for the funding of certain projects;

WHEREAS, the Village plans to widen and resurface the existing walking trails surrounding the Centre Pond in Village Centre Park to make them handicapped accessible;

WHEREAS, the Village of Manlius Board of Trustees has set a public hearing date of February 23, 2010, which was published in its official newspaper to insure that all citizens were given an opportunity to express their views pertaining to the proposed creation of Bicentennial Park, the Community Development Block Grant Application for the proposed project and to present projects for consideration in preparation for the Village of Manlius 5-Year Consolidated Plan;

WHEREAS, in accordance with the requirements of the Community Development Block Grant Application and if funding is awarded for the proposed project, the Village of Manlius agrees to pay \$25,800.00 in the form of in-kind services, which represents 25% of the required cash match of the total project cost which is estimated to be \$103,000.00;

NOW THEREFORE, BE IT RESOLVED, that the Village of Manlius Mayor, Mark-Paul Serafin, shall make application on behalf of the Village of Manlius in the amount of \$77,200.00 for the 2010 Onondaga County Community Development Block Grant Program; and be it further

RESOLVED, that the Village of Manlius Board of Trustees shall also submit to Onondaga County Community Development its 5-Year Consolidated Plan in letter format, to be included with the Community Development Block Grant Application by Friday, March 5, 2010 and provide them with a copy of this resolution.

### **TRAINING REQUEST**

#### **FIRE/EMS**

Scicchitano & Pinsky, PLLC – Registration, hotel and meals for Fire Dept. Law & Management Conference, March 26-28, for Paul Whorrall, Robert Bennett, Dave Haase, George Davenport; Cost: \$1,240.00.

Trustee Krouse made a motion, seconded by Trustee Abdo-Rott to approve the training requests as submitted. Motion carried; 7-0.

### **REQUISITIONS**

#### **DPW**

Bishop AC & Refrigeration – Replace ice machine in auditorium kitchen;  
Cost: \$2,500.00  
Cargill, Inc. – Bulk Ice Control; Cost: \$5,872.71

#### **FIRE/EMS**

Har-Rob Fire Apparatus – 3 Pairs Haix Leather Turnout Boots; Cost: \$732.00  
Lakes Region Fire Apparatus – Four 55-gallon drums FOAM A-55; Cost: \$3,028.00  
Ter-EI – 10 Certificates of Appreciation, including artwork, screening & imprint charges and one 5-year service award plaque; Cost: \$760.00

Trustee Hopkinson made a motion, seconded by Trustee Krouse to approve the requisitions as submitted. Motion carried; 7-0.

### **ABSTRACT**

Trustee McGrew made a motion, seconded by Trustee Krouse to approve the Abstract dated February 18, 2010 in the amount of \$55,759.64. Motion carried; 7-0.

### **ONONDAGA COUNTY INTEROPERABLE COMMUNICATION SYSTEMS AGREEMENT**

Trustee Krouse made a motion, seconded by Trustee McGrew to authorize the Manlius Fire and Ambulance Department to enter into the Interoperable Communications Systems Agreement with the County of Onondaga for a term of five years. Motion carried; 7-0.

### **PLANNING BOARD – Banner Presentation**

Planning Board Chairperson Helen Chamberlain gave the following presentation to the board regarding banners:

On February 1, 2010 the Village Planning Board unanimously rejected the Manlius Banner Proposal presented by the Manlius Chamber of Commerce by a vote of 5-0.

We most vigorously recommend that the Village Board of Trustees also reject this proposal. Our unanimous rejection is based on concerns about the Village Code, pedestrian safety, and appropriateness as detailed below.

The sign code of the Village of Manlius prohibits banners, a point affirmed by our attorney. The Commercial District Design Guidelines suggests only small (about 12 inches square) municipal informational banners attached to lamp posts.

New York State publications for municipalities recommend careful control of banners. "Banners...are commonly regulated under sign regulations... If inappropriately located, they can mar landscapes, create visual clutter and distract motorists. They can be regulated by a municipality in the same manner as other signage. Such laws are likewise subject to constitutional limitations."

Banners on utility poles owned by National Grid, a public utility, and located on a municipal right-of-way (NYS/Village) require special care in clearly specifying in Village law procedures for guaranteeing equal access and protecting free speech. A search of the internet reveals a growing number of legal challenges to municipalities that failed to protect their liability by preceding banners with appropriate municipal laws. Separation of church and state, free speech, obscenity and other issues have already expended the financial resources of municipalities across the country.

We do not recommend making any changes in either the sign code or the Commercial District Design Guidelines to accommodate banners on utility poles in the village.

In regards to pedestrian safety, and as the mock-up of a section of Fayette Street clearly shows, the text on the proposed banners will cause drivers to stop watching where their vehicles are going while they read the banners. Issues of distracted drivers are currently much in the news. The proposed banners with sponsorship text would present a clear and present danger to pedestrians by distracting drivers along our main corridors. Recall that a pedestrian was recently killed along our main corridor by a distracted driver.

We are committed by many aspects of the Village Code, by the Commercial District Design Guidelines and by the Comprehensive Plan to making our village "pedestrian friendly". Reducing traffic through the village seems to be an intractable problem. Avoiding additional driver distractions, however, is within our control, and we should unfailingly avoid producing any new distractions.

We believe the matter of driver distraction is a lethal flaw in the proposal and that pedestrian safety should take precedence over all other considerations.

In regards to appropriateness, the row of utility poles along our commercial corridor together with the web of utility wires at their top is the least visually appealing aspect of this part of the village. Putting banners on these poles will serve to draw the eye upward and make this ugliness stand out more prominently. They cannot be mounted significantly lower because they are too large—actually larger than any municipal banners we could find anywhere in Central New York—and the poles are too close to the street.

In our survey of Central New York municipalities, we determined that only about 25% have pole banners. We found only three villages with sponsorship panels: Solvay, North Syracuse, and Cicero. We do not believe these municipalities are among those we

should emulate. By contrast, the iconic villages of Cazenovia and Skaneateles do not have pole banners. We believe they are among those we should emulate.

We believe banners on utility poles are not appropriate for our village, are inconsistent with efforts to make the village pedestrian friendly, and would degrade, rather than enhance, the visual appearance of our commercial corridor.

We regret that our failure to embrace this proposal may be viewed as our being unfriendly toward business; however, that is not the case. This proposal was developed by a committee of six members of the Chamber. Had they chosen to work with the Planning Board from the earliest stages of developing this proposal, the current situation could have been avoided. We support joint projects by the Village and the Chamber and made alternative suggestions, including sponsorship of lower planters like those so popular with residents in Fayetteville and Canastota. Twenty-seven sponsored planters, overflowing with brightly colored flowers would be a welcome addition to the commercial district. Utility pole banners are not.

Mayor Serafin thanked Helen Chamberlain for the presentation and recommendations from the Planning Board.

Trustee Miner asked if a compromise to the banner proposal could be reached and perhaps a smaller group of board representatives could have dialogue to discuss a concept design and ideas.

Marilyn Jeffrey stated any banner proposal would require a code change; the Planning Board is not opposed to smaller banners mounted to the light poles, if done appropriately.

Steve Chamberlain stated he has spoken to many village residents all against the proposal of banners in the village.

Mayor Serafin stated many village residents have expressed the approval of banners if the banners were reduced in size, mounted to the goose-neck light poles and listed or promoted the "Village" of Manlius.

Trustee Hopkinson stated he does not like the idea of having the swan logo on the banners posted outside of the village limits promoting town businesses.

Matt Hodinger stated he was offended by the board's comments at the last meeting that the Planning Board is "anti-business".

Mayor Serafin stated the Planning Board is a vital part of the planning process and are responsible to foster smart responsible development in the village. Mayor Serafin stated he wants to see the commercial and business activity in the village grow.

## **MAYOR'S REPORT**

Mayor Serafin stated he has just returned from the Conference of Mayors in Albany and reports that the state budget deficit is larger than reported and the villages, towns and counties are facing enormous hurdles and attempting to close gaps in budgets.

Mayor Serafin thanked Trustees Hopkinson, Miner, McGrew and Mr. & Mrs. Chamberlain for attending the presentation in Fayetteville regarding the sales tax revenue agreement with the county. Updates will be given as information is received.

Winter newsletter is complete and will be mailed this week.

Mayor Serafin expressed his feelings and thoughts about dedicating Gazebo Park in memory of Father Kevin Hannon. The dedication has caused some dialogue with the volunteer group that maintains the park.

### **TRUSTEE'S REPORTS**

Trustee McGrew stated NYCOM (New York Conference of Mayors) painted a bleak picture over the next three years with the economy and the \$1.4 billion dollar deficit of the state.

Trustee Miner asked to examine the 3/26 training requests for Fire/EMS to attend Fire Dept Law & Management at the Turning Stone Resort. Trustee Miner stated the schedule of events listed on the brochure would allow the attendees to commute to and from the seminar thus saving on the overnight accommodations. Trustee Hopkinson stated the attendees are volunteer fire staff and receive no pay and would suggest the Mayor ask the Fire Chief to consider commuting to the event each day.

Vision Manlius Committee is in receipt of the proposed zoning chapter of the code and is in the process of reviewing draft.

Trustee Krouse – Nothing to report.

Trustee Abdo-Rott – Jim Raulli and I have met with the little league committee to discuss responsibilities and guidelines for the upcoming season.

Trustee Hopkinson stated the village board is in receipt of a letter from the Fire Department members of the Fire Facility Committee. Trustee Hopkinson asked that the board address the letter and give a response to the committee members. A discussion took place regarding the project, the release of the RFP to conduct a Study of Fire and Emergency Services. Trustee Miner made a motion, seconded by Trustee Krouse to authorize the Mayor to notify the Fire Facilities Committee to hold on their responsibilities until further notice. Motion carried; 7-0.

### **NEW HIRE – T. MCKENNAN - P/T FIREFIGHTER/EMS**

Trustee Hopkinson made a motion, seconded by McGrew to hire Timothy McKennan as a part-time Firefighter/Paramedic effective February 23, 2010. Motion carried; 7-0.

### **SALE OF SURPLUS EQUIPMENT – MSA AIR PACK**

Trustee McGrew made a motion, seconded by Trustee Abdo-Rott to authorize Chief Whorrall to solicit the best price for the sale of MSA Air Pack equipment for recommendation to the village board. Motion carried; 7-0.

**VERIZON WIRELESS SITE PLAN – CELL TOWER**

Trustee Abdo-Rott made a motion, seconded by Trustee McGrew to approve Armour Tower to prepare the engineering review and study of the site plan dated 12/18/09 for the installation of three new antennas conditional upon payment to the village in the amount of \$3,000.00 for village engineering and legal fees and a full inventory of all equipment on the Tower and performing a complete structural inspection, mapping, and analysis of the tower in accordance with TIA/EIA-222-F standard, Annex E, stamped by a Professional Engineer all subject to review and final approval by the village and its engineer. Motion carried; 7-0.

**WAIVER STATE AID ELIGIBILITY 2010**

Trustee Abdo-Rott made a motion, seconded by Trustee Hopkinson to waive state aid eligibility for Service to the Town of Manlius in the amount of \$901.00. Motion carried; 7-0.

**INDEPENDENT AUDIT – 2008-09**

Trustee Miner stated the following proposals were received:

Green & Seifter	\$11,000.00
Kane, Bowles & Moore	\$ 8,100.00
F.J. Pompo & Co.	\$12,000.00

Trustee Miner made a motion, seconded by Trustee Krouse to hire the low bidder, Kane, Bowles & Moore to conduct the independent audit for the fiscal year 2008-2009. Motion carried; 7-0.

**EXECUTIVE SESSION**

Trustee Krouse made a motion, seconded by Trustee McGrew to enter into executive session for a personnel matter. Motion carried; 7-0.

Mayor Serafin adjourned to executive session at 9:37pm.

Trustee Krouse made a motion, seconded by Trustee McGrew to enter into regular session at 10:07pm. Motion carried; 7-0.

Trustee Abdo-Rott made a motion, seconded by Trustee Hopkinson to adjourn the meeting. Motion carried; 7-0.

Mayor Serafin adjourned the meeting at 10:10pm.

Respectfully submitted by,

Lisa DeVona  
Clerk Treasurer