

**TOWN OF MARCELLUS  
TOWN BOARD MEETING MINUTES**

May 10, 2010

A regular meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on May 10, 2010 at 7.00 P.M. in the Town Hall, 24 East Main Street, Marcellus, New York. Those present were:

Daniel J. Ross, Supervisor  
James A. Sheridan, Councilor  
Thomas C. Lathrop, Councilor  
Donald G. Sherman, Councilor  
Kevin F. O'Hara, Councilor

Also present: Karen R. Pollard, Town Clerk; Laurie Stevens, Deputy Town Clerk; Margaret Gerbsch, Accountant; James Gascon, Counsel; Donald MacLachlan, Highway Superintendent; Mary Jo Paul, Marcellus Village Trustee; William Reagan, Codes Enforcement Officer; Phil Coccia, Recreation Leader; Garth Snyder, Crew Leader; Ami Olsen, Eagle Observer; Dawn O'Hara, Robert Woods, Margaret Nolan, Dale Wilcox, Chuck Paul, Jeffery Berwald, Eddie Murphy, Bernie Montgomery, Andi Burrows and Mary Kate Kelly.

Supervisor Ross opened the meeting at 7 P.M. with the Pledge of Allegiance to the Flag.

Copies of the minutes of the Town Board Meeting held on April 12, 2010 and the Workshop Meeting of April 22, 2010 was given to the Board Members. Councilor Lathrop made a motion seconded by Councilor O'Hara to approve the minutes as presented. All voted aye. Carried.

The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk, Abstract #5, Claims # 20100296 – 20100350 and Highway Claims #2010062 - 2010076.

	<u>Expenses</u>
General Fund	\$25,029.92
General Fund – Part Town	680.46
Highway – Town Wide	13,016.97
Highway – Part Town	1,880.70
Sewer	39.38

Bills paid between meetings:

NYSE&G

24 E. Main Street (clm 294)	\$ 357.22
Town Street Lighting (clm 295)	\$1,271.24

Board Members were given copies of the Activity Report for April 2010 and monthly statement of bank balances as of April 30, 2010.

	<u>Total Revenue</u>	<u>Total Expense</u>
General Fund	\$37,679.39	\$ 73,124.50
General Fund – Part Town	-0-	6,593.12
Highway – Town Wide	7,759.65	38,560.69
Highway – Part Town	-0-	12,662.78

Fire 50.00 226,380.00

Councilor Lathrop made a motion seconded by Councilor Sherman to approve and pay the bills, approve the monthly activity report for April 2010 and the monthly statement of bank balances as of April 30, 2010. All voted aye. Carried.

**OLD BUSINESS:**

**Report from Department Liaisons:**

Supervisor Ross discussed with the Board the new agreement that Onondaga County passed for the split of sales tax with the towns, villages and schools. The county is keeping 70% and by 2013 the town's share will be eliminated. The Town could opt to receive our share in cash instead of the traditional credit.

Mr. Ross also reported that the renovation on the Welcome Center in the Marcellus Park started today and the roof will start project on the Town Hall on Tuesday.

**Highway Uniform Contract:** Upon advice from counsel the "indemnity clause" was struck from the agreement the Supervisor signed with Aramark Uniform Service. The vendor took issue with this and had several conversations with Council Gascon and Supervisor Ross. Mr. Gascon advised the Board that it is a bad idea for the Town to indemnify vendors though in this case the risk is remote. Councilor Lathrop made a motion seconded by Councilor Sherman to authorize the Supervisor to sign the agreement with Aramark as is for uniform service on behalf of the Highway Department. All voted aye. Carried.

**NEW BUSINESS:**

**Recreation Agreements: Tennis Lessons:** Councilor Lathrop made a motions seconded by Councilor Sheridan to authorize the Supervisor to sign the following Recreations Agreement:

Champions for Life Tennis Lessons \$40/student  
All voted aye. Carried.

**Community Development Agreement: Welcome Center Renovations:** The agreement was received from Onondaga County Community Development, which provides \$80,000.00 in funding for the Marcellus Park Restroom (Welcome Center) Renovations. Councilor Sherman made a motion seconded by Councilor O'Hara to authorize the Supervisor to enter into the agreement with Onondaga County Community Development for funding up do \$80,000.00 for the Marcellus Park Restroom (Welcome Center) Renovations. All voted aye. Carried.

**Standard Work Day and Reporting Resolution for New York State Retirement:**

**#004-10**

**Standard Work Day and Reporting Resolution**

BE IT RESOLVED, that the Marcellus Town Board hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
<b>Elected Officials</b>							
Supervisor	Daniel J Ross			6	1/1/10-12/31/11	N	5
Town Clerk	Karen R Pollard			6	1/1/10-12/31/11	Y	21/22
Highway Superintendent	Donald MacLachlan			6	1/1/10-12/31/11	Y	21/22
Tax Collector	Elaine Potter			6	1/1/10-12/31/11	N	9
<b>Appointed Officials</b>							
Deputy Town Clerk	Laurie Stevens			6	1/1/10-12/31/10	Y	21/22
Accountant	Malgorzata Gerbsch			6	NA	Y	21/22
Court Clerk	Judith Schneider			6	1/1/10-12/31/10	Y	21/22
Code Enforcement Officer	William Reagan			6	NA	Y	21/22
Deputy Code Enforcement Officer	Stephen Rudolph			6	NA	Y	4/6
Dog Control Officer	James La Rose			6	1/1/10-12/31/10	N	5
Secretary to Highway Superintendent	Sandra M Elsey			6	1/1/10-12/31/10	Y	21/22
Clerk I	Jacqueline R Limeri			6	3/8/10-12/31/10	Y	6/8
Clerk I / Secretary to Planning & Zoning	Karen A Cotter			6	1/1/10-12/31/10	Y	16/18

This certification will be for one year. Supervisor Ross and Councilors Sheridan, Lathrop, Sherman and O'Hara voted aye. Resolution Carried.

On this 11<sup>th</sup> day of May, 2010

Karen R. Pollard/s  
(Signature of Clerk)

Date enacted: May 11, 2010

**Approval for Town Supervisor to Attend PERMA Conference May 27 & 28:**

Councilor Sheridan made a motion seconded by Councilor Lathrop to allow Supervisor Ross to attend the Perma Annual Conference being held in Lake George on May 27 – 28, 2010 with all reasonable expenses paid. All voted aye. Carried.

**Petition from Platt Road Residents:** A petition was presented to the Board from fifteen (15) residents that reside near the Marcellus Park. Among their concerns is “excessive and unnecessary traffic, offensive headlights shining in the windows”. There are signs in place at the entrances that state the hours of the Park and there is also a local law that defines consequences for individuals who are in the park after hours. The Board discussed feasible solutions and a chain across the entrances is a possible compromise.

Councilor O'Hara has spoken to the Marcellus Police and they are willing to put the chain in place at 10pm each evening. Councilor O'Hara made a motion seconded by Councilor Lathrop to use a chain across both entrances of the Marcellus Park in an effort to decrease unauthorized traffic. All voted aye. Carried.

**Limeledge Water District: Approval of Bills:**

Councilor Lathrop made a motion seconded by Councilor Sherman to authorize the payment of Limeledge Water District Abstract No. 5 - 2010. All voted aye. Carried.

**Stormwater: Fee Amendment Request- 2010 Engineering Assistance:** Barton & Loguidice presented to the Town a fee amendment request in the amount of \$4500 for the 2010 engineering assistance in support of the Phase II MS4 Stormwater Program. Councilor Sherman made a motion seconded Supervisor Ross to authorize the Supervisor to enter into an agreement with Barton & Loguidice for 2010 engineering assistance in support of the Phase II MS4 Stormwater Program no to exceed \$4500. All voted aye. Carried.

**Set Public Hearing for Revised Town Sign Ordinance:**

#005-10

**TOWN BOARD RESOLUTION  
TOWN OF MARCELLUS**

At a regular meeting of the Town Board of the Town of Marcellus, held at the Town Hall, 24 East Main Street, in said Town, County of Onondaga and State of New York on May 10, 2010, at 7:00 P.M., there were:

<b>PRESENT:</b>	Daniel J. Ross	Supervisor
	Kevin O'Hara	Councilor
	Donald G. Sherman	Councilor
	Thomas C. Lathrop	Councilor
	James A. Sheridan	Councilor

**WHEREAS,** Councilor Lathrop introduced a proposed sign ordinance within the Town of Marcellus, and made the following motion, which was seconded by Councilor O'Hara.

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board conduct a public hearing as to the enactment of a proposed sign ordinance at the Town Hall located at 24 East Main Street in the Town of Marcellus on June 14, 2010 at 7:00 P.M., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

<b>VOTE:</b>	Daniel J. Ross	Aye
	Kevin O'Hara	Aye
	Donald G. Sherman	Aye
	Thomas C. Lathrop	Aye
	James A. Sheridan	Aye

**Resolution duly adopted.**

**Dated: May 10, 2010**

**Karen Pollard, Town Clerk, Town of Marcellus**

**MAVES: Agreement for 2010:** Supervisor Ross introduced to the Board the 2010 Agreement with the Marcellus Volunteer Emergency Services (MAVES). This agreement contains the same language as the previous year with the only change is to schedule A. Councilor Sherman made a motion seconded by Councilor Sheridan to authorize Supervisor Ross to enter into a contract with MAVES for the year of 2010. All voted aye. Carried.

**Friends of Marcellus Park: Approval for Friends Building:** Councilor Lathrop made a motion seconded by Councilor Sherman to allow the Friends of Marcellus Park to replace their current storage shed with a larger shed and it would be in the same location. All voted aye. Carried.

**Southern Onondaga Water District: Approval of Vouchers #10 #11:**

Councilor Lathrop made a motion seconded by Councilor Sherman to approve the following payment in conjunction with the Southern Onondaga Area Water District:

Voucher #10	Reagan and Dailey	\$924.55
Voucher #11	SOAWD	\$159.01

All voted aye. Carried.

**Discussion Agenda**

**Items from the Board**

Supervisor Ross advised the Board and Counsel Gascon that the question of increasing the Town Clerk, Highway Superintendent and Tax Collector's term of office from two years to four years will be on the June 2010 Town Board agenda.

**Items from the Floor**

Phil Coccia, Recreation Leader, inquired if there could be a "clerk of the works" for the renovation project for the Welcome Center. Supervisor Ross will obtain an estimate from Barton & Loguidice.

Mr. Coccia voiced his concern about the vandalism problem in the Park and if there were a chain across the entrances, would the Marcellus Police still patrol in the Park?

Councilor Lathrop made a motion seconded by Councilor Sherman to adjourn the Marcellus Town Board meeting at 8:16pm. All voted aye. Carried.

Respectfully submitted,

Karen R. Pollard, Town Clerk