

TOWN OF MARCELLUS
TOWN BOARD MEETING MINUTES

July 12, 2010

A regular meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on Monday, July 12, 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; Margaret Gerbsch, Accountant; James Gascon, Counsel; Donald MacLachlan, Highway Superintendent; William Reagan, Codes Enforcement Officer; Phil Coccia, Recreation Leader; Garth Snyder, Crew Leader, Sandy Taylor, James LaRose, Jim Rossiter, Brian Haney, Ned Campbell, Charles Black, Bernie Montgomery, Dawn O'Hara and Timothy Chase.

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

PUBLIC HEARING: Proposed Local Law No. A-2010 Changing the Term of Office for the Offices of Town Clerk, Town Superintendent of Highways and Town Tax Collector from Two Years to Four Years in the Town of Marcellus

Supervisor Ross opened the Public Hearing for the of Marcellus by stating that the legal notice appeared in the June 30th edition of the Marcellus Observer and is on file in the Town Clerk's office.

Supervisor Ross asked for anyone who wished to speak in favor or against the proposed Local Law Changing the Term of Office for the Offices of Town Clerk, Town Superintendent of Highways and Town Tax Collector from Two Years to Four Years in the Town of Marcellus to please state his or her name and address for the record. Supervisor Ross did mention that there was one written comment from resident and it is now part of the record. Hearing no comments or questions, the Supervisor asked the Board if they had any questions or comments.

Hearing no comments or questions, Supervisor Ross adjourned the Public Hearing at 7:04pm.

Copies of the minutes of the Town Board Meeting held on June 14, 2010, Special Town Board Meeting held on June 24, 2010 and the Workshop Meeting held on June 24, 2010 was given to the Board Members. Councilor Sheridan made a motion seconded by Councilor Sherman 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 # 7, Claims # 20100448 – 20100521 and Highway Claims #2010094 - 2010105.

Expenses

General Fund	\$ 66,873.72
General Fund – Part Town	337.12
Highway – Town Wide	55,203.39
Highway – Part Town	20,346.60
Sewer	15,054.85

Bills paid between meetings:

NYSE&G:

24 E. Main Street (clm 446)	\$ 46.61
Park Street Lighting (clm 447)	\$199.50
Check no. 23119	

Board Members were given copies monthly statement of bank balances as of June 30,2010.

Councilor Sherman made a motion seconded by Councilor O’Hara to approve and pay the bills and the monthly statement of bank balances as of June 30, 2010. All voted aye. Carried.

OLD BUSINESS:

Report from Department Liaisons: None.

NEW BUSINESS:

Fire Department (added item): Jeff Berwald, President of the Marcellus Volunteer Fire Department Cooperation, stated that the Department would hold off on the repair one of the fire trucks until the reimbursement of the roof project is received. Supervisor Ross advised Mr. Berwald that as soon as the funds are received they would be turned over to the Department.

Village Cemetery Fence: Supervisor Ross advised the Board that there are new regulations concerning the removal of lead based paint. The question becomes, does the cemetery fence contain lead. If it does there are host of requirements that have to be followed if the fence is scraped down and repainted. Mr. Ross suggested to have the fence tested. There were no objections.

Recreation Agreement: Summer Concert: Joe Whiting:

Councilor Lathrop made a motions seconded by Councilor Sheridan to authorize the Supervisor to sign the following Receptions Agreement:

Summer Concert:	July 15	Joe Whiting	\$750.00
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All voted aye. Carried.

Appointment of Deputy Town Clerk: Karen R. Pollard, Town Clerk, advised the Board that after the interview process for a new Deputy Town Clerk, she is offering the position to Sandra Taylor and is recommending an annual salary of \$25,000. Councilor O’Hara made a motion seconded by Councilor Sheridan to appoint Sandra Taylor as Deputy Town Clerk with an annual salary of \$25,000. All voted aye. Carried.

Southern Onondaga Water District: Approval of Vouchers #15 thru #21:

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

Voucher #15	Eagle Newspapers	\$ 8.36
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Voucher #16	Scotsman Press	\$ 146.28	
Voucher #17	Craig Billinson	\$ 953.90	
Voucher #18	Eagle Newspapers	\$ 8.40	
Voucher #19	Teal Trendowski	\$1,125.00	
Voucher #20	J. G. Gambell Excavation	\$9,450.00	
Voucher #21	Eagle Newspapers	\$ 26.00	
All voted aye.			Carried.

Cooperative Agreement: Code Enforcement: Councilor Lathrop made a motion seconded by Councilor Sherman to authorize the Supervisor to enter into a one (1) year renewal of the Intermunicipal Agreement with the Village of Marcellus in the amount of \$15,484.17 to provide Code Enforcement for the Village. All voted aye. Carried.

Zoning Law: Camping and Recreational Equipment Regulations: William Reagan, Codes Enforcement Officer, provided the Board with a request for clarification and revision to the Mobile Home Ordinance in the current Zoning Law. The revisions would allow more flexibility in the regulations. Councilor Sherman made a motion seconded by Councilor Lathrop to schedule a public hearing on August 9th at 7:00pm for the consideration of the revisions to the Mobile Home Ordinance in the current Zoning Law. All voted aye. Carried.

Assessor: Memorandum of Understanding: A Memorandum of Understanding was received from the Office of Real Property Services clarifying and outlining the roles and responsibilities of the Town and Office of Real Property Services in the reassessment process for the 2011 assessment roll. With the recent merging of the Office of Real Property Services with the Taxation and Finance Department questions have arisen concerning the amount of reimbursement that will be returned to the Town for the reassessment process. Mr. Lawrence Fitts, Assessor, will be reporting back to the Supervisor once this becomes clear. Councilor Sherman made a motion seconded by Councilor O’Hara to authorize the Supervisor to enter into the Memorandum of Understanding, with NYS Office of Real Property Service for the reassessment process for the 2011 assessment roll. All voted aye. Carried.

Town of Skaneateles: Lead Agency for Local Law and Acquisition and Conveyance of Property

The Town of Skaneateles has stated its willingness to act as lead agency for a local law and acquisition and conveyance of property. Both these issues are within the Town of Skaneateles and are required to ask permission from neighboring town if there is any objection to their acting as lead agency. The local law deals with establishing a six-month moratorium on hydraulic fracturing (hydrofracking) within the Town of Skaneateles. The acquisition and conveyance of property deals with exchanging land owned by the Town for privately owned land.

Councilor Lathrop made a motion seconded by Councilor Sherman stating that the Town of Marcellus has no objection to the Town of Skaneateles acting as lead agency in the matter of their proposed local law dealing six-month moratorium on hydraulic fracturing (hydrofracking) with in the Town of Skaneateles. All voted aye. Carried.

Councilor Sherman made a motion seconded by Councilor Lathrop stating that the Town of Marcellus has no objection to the Town of Skaneateles acting as lead agency in the matter of their acquisition and conveyance of property in the Town of Skaneateles. All voted aye. Carried.

Highway Purchase: Bobcat: Highway Superintendent MacLachlan requested permission from the Board to trade in the 2008 Bobcat skid steer on a newer model. The purchase price for the new Bobcat is \$25,942.00, the allowance for the trade in is \$20,000.00 making the price of the new Bobcat \$5,942.00. Councilor Lathrop made a motion seconded by Councilor Sherman to grant permission to the Highway Superintendent to trade in the 2008 Bobcat skid steer on a newer model for a purchase price of \$5,942.00 after the trade in. All voted aye. Carried.

Hours for Deputy Codes Officer: William Reagan, Codes Enforcement Officer, proposed additional hours for the Deputy Codes Enforcement Officer. Mr. Reagan is requesting two (2) days a month for the Deputy to work on Town of Marcellus issues at an expense of approximately \$2,016 for fourteen (14) days. Councilor O'Hara made a motion seconded by Councilor Lathrop to allow for additional Deputy Codes Officer for fourteen (14) days with a expense of not to exceed \$2,016. A question arose as to where exactly are the extra funds coming from; this additional expense has not been budgeted for. This question will be tabled until the August 9th Town Board meeting.

Onondaga County: Agreement for the Disposal of Surplus Equipment: A letter was received from County of Onondaga concerning sharing the costs of when the town participates in the county administered online auction. The county has established a fee equal to 5% of the sale price for each item with a cap of \$250. All auctions beginning July 1 will be subject to the fee. An inter-municipal agreement needs to be entered into in order for the Town to participate. Councilor Lathrop made a motion seconded by Councilor Sherman to authorize the Supervisor to sign inter-municipal with the County of Onondaga to participate in the on-line auction with a cost of 5% of each sale item with a cap of \$250. All voted aye. Carried.

Discussion Agenda

Items from the Board

Councilor Lathrop advised the Board that he and Councilor Sherman recently met with representatives from Onondaga County concerning the pumping station for sewer line that runs through the Park. The County provided an explanation of the maintenance aspect of the pumping station, which they will perform.

Councilor Lathrop questioned the progress of the community signboard that the Village has proposed. Supervisor Ross stated the Village is in the design phase and looking for a location.

Councilor Sheridan led the Board on a discussion of the expansion of the Marcellus Village Police into the Marcellus Park and the Marcellus Central Schools. Supervisor Ross stated that the Village and Town attorneys are looking into this proposal.

Items from the Floor

Jeff Berwald of the Marcellus Fire Department, advised the Board that the Marcellus Fire Department will not hosting the County Fire Convention next year. He also presented to the Board figures on the purchase of the Marcellus Fire Hall by the firemen. Supervisor Ross stated the document would be reviewed.

Bernard Montgomery, Frank Gay Road, asked about the status of the Welcome Center project. He was advised that it is about 85% complete. Mr. Montgomery also asked the status of MAVES. He was informed that there would be a representative from MAVES at the July workshop.

Councilor O'Hara thanked the Parks and Highway Departments for their help on TEAL There's a Cure race, it was a great success raising approximately \$19,000.

Councilor Lathrop made a motion seconded by Councilor Sherman to enter into executive session on a legal matter at 8:01. All voted aye. Carried.

Councilor Lathrop made a motion seconded by Councilor Sheridan to adjourn the executive session and resume the regular Town Board meeting at 8:29. All voted aye. Carried.

Councilor Sherman made a motion seconded by Councilor Lathrop to adjourn the Marcellus Town Board meeting at 8:30 P.M. All voted aye. Carried.

Respectfully submitted,

Karen R. Pollard, Town Clerk