

TOWN OF MARCELLUS
TOWN BOARD WORKSHOP MEETING MINUTES

June 25, 2015

A Workshop Meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on Thursday, June 25, 2014, in the Welcome Center, located in Marcellus Park, Marcellus, New York. Those present were:

Mary Jo Paul, Supervisor
Kevin F. O'Hara, Councilor
John Scanlon, Councilor, arrived at 5:05pm
Karen Pollard, Councilor
Chris Hunt, Councilor

Also present: John Houser, Codes Officer; Jim Gascon, Town Attorney; Phil Coccia, Recreation Director; Bill Southern, Tom Lathrop, Ron Schneider, Mike Ossit, Bernie Montgomery, Jerry Wickett, Deana Fellows and Sandy Taylor, Town Clerk.

Supervisor Paul opened the meeting at 5 P.M. with the Pledge of Allegiance to the Flag.

The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk, Abstract #6 as of June 23, 2015, Claims #142297 -142320, 142322-143325, 142332-142353.

	<u>Expenses</u>
General Fund	\$ 17,386.34
General Fund – Part Town	3,090.03
Highway – Town Wide	15,639.74
Trust & Agency	<u>2,357.23</u>
Total	\$38,473.34

Bills paid between meetings: The following vouchers were paid on June 16, 2015.

<u>Voucher Numbers</u>	<u>Company</u>	<u>Amount</u>
142326	NYSEG	36.15
142327	NYSEG	866.98
142328	Constellation New Energy	306.40
142329	American Power & Gas	1,442.94
142330	American Power & Gas	<u>534.74</u>
Total		\$3,187.21

Councilor Pollard made a motion seconded by Councilor Hunt to approve and pay the bills as of June 23, 2015.

Ayes – Scanlon, Hunt, Paul, O'Hara and Pollard

Carried

Mr. D. J. Van Keuren – Discussion of Senior Housing and Rezoning: Jim Gascon, Town Attorney, stated before Mr. D. J. Van Keuren spoke that he has represented him in past projects but he is acting on behalf of the Town for this project. Mr. Van Keuren informed the Board and residents that he would like to develop a 55 and older community off Seneca Turnpike. He has

been working with Karen Cotter of Planning and Zoning and the current items are being addressed:

- working on taking care of the illegal subdivision
- requesting a variance on the signage
- requesting a change in zoning for restaurant

Ongoing Items that he is working on:

- PUD (Planned Unit Development) Request for Sunset Ridge Communities
- Lighting

Mr. Van Keuren will continue to keep the Board informed on the process.

Mr. Tom Reiley- Insurance Renewal Review: Mr. Reiley spoke about the renewal of the Town's insurance coverage. After a review of everything, Selective Insurance came in at \$4,338.10 cheaper than last year. After looking through the information, Jim Gascon, Town Attorney, noticed that we don't have enough insurance for an uninsured/underinsured motorist. Mr. Reiley will get prices to increase the amount for the uninsured/underinsured motorist.

Time Warner Cable Resolution:

**TOWN OF MARCELLUS
TOWN BOARD RESOLUTION
RENEWAL OF
CABLE FRANCHISE AGREEMENT
6/25/15**

Councilor Pollard moved for the acceptance and approval of the proposed Cable Franchise Agreement with Time Warner Cable and Councilor Scanlon seconded the motion.

WHEREAS, an application has been duly made to the Board of the Town of Marcellus, County of Onondaga, New York, by **TIME WARNER CABLE NORTHEAST LLC ("Time Warner")**, a partnership organized under the laws of the State of New York doing business at 2604 Seneca Avenue, Niagara Falls, New York 14305, and holder of a cable television franchise in the Town of Marcellus for the approval of an agreement to renew Time Warner's cable television franchise for an additional fifteen (15) years. The Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended and certain court rulings.

A hearing was held in the Town of Marcellus on November 6, 2014 at 7:00 p.m. and notice of the hearing was published as part of the Town's November 6, 2014 Agenda; and

WHEREAS, at the May 28, 2015 meeting, the Town Board approved the proposed contract and directed the Town Supervisor to sign the Agreement on behalf of the Town, a copy of which is attached hereto as Exhibit "A".

NOW, THEREFORE, the Board of the Town of Marcellus finds that:

1. Time Warner has substantially complied with the materials terms and conditions of its existing franchise and with applicable law; and

2. The quality of the Time Warner service, including signal quality, response to customer complaints and billing practices has been in light of community needs; and
3. Time Warner has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
4. Time Warner can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED, that the Board of the Town of Marcellus hereby renews the cable television franchise of Time Warner in the Town of Marcellus for fifteen (15) years commencing on the date of approval by the Public Service Commission.

BE IT FURTHER RESOLVED, that the Board of the Town of Marcellus hereby confirms that this Franchise Renewal Agreement replaces the original franchise last amended on 10/14/04.

BE IT FURTHER RESOLVED, this resolution is a confirmation of and approval of the Board action taken on May 28, 2015.

The question of the adoption of the foregoing resolution was duly put to a vote and the vote was as follows:

John Scanlon	Councilor	Voted	Yes
Christopher Hunt	Councilor	Voted	Yes
Kevin O'Hara	Councilor	Voted	Yes
Karen Pollard	Councilor	Voted	Yes
Mary Jo Paul	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: June 25, 2015

Town of Marcellus Clerk

MEP RESOLUTION (Municipal Energy Program) Resolution: Councilor O'Hara made a motion seconded by Councilor Pollard to approve the following resolution:

**TOWN OF MARCELLUS
TOWN BOARD RESOLUTION
AUTHORIZING MEMBERSHIP IN THE
MUNICIPAL ENERGY PROGRAM
6/25/15**

WHEREAS, municipal corporations are authorized to create and operate purchasing cooperatives for the purchase of electricity, natural gas and other utility bill management services as provided in Article G of the General Municipal Law; and

WHEREAS, the Organizing Local Governments, acting in accordance with section 119-o of the General Municipal Law, cooperatively created the “Municipal Energy Program” otherwise known as the MEP, for the purpose of fulfilling their respective public and governmental purposes, needs, objectives and programs; and

WHEREAS, the Organizing Local Governments have additionally determined that other municipal corporations and districts, as defined in General Municipal Law §119-n, qualified to do so, should be permitted to join with them through execution of an addendum to their Intermunicipal Cooperation Agreement (hereinafter referred to as the “Agreement”), in order to fulfill their own respective public purposes by participation in the MEP; and

WHEREAS, the Town of Marcellus is a “municipal corporation” as defined in General Municipal Law § 119-n; and

WHEREAS, the Town of Marcellus is a “district” as defined in General Municipal Law §119-n; and

WHEREAS, this board (council) has reviewed the Agreement creating the MEP and understands its terms and conditions;

NOW THEREFORE BE IT RESOLVED, that the Town of Marcellus, in the County of Onondaga, hereby joins the MEP as a Member and authorizes the Town Supervisor to sign and execute the Agreement on its behalf; and

BE IT FURTHER RESOLVED, that this Member hereby authorizes the Organizing Local Governments and Pro-Star, acting as the MEP’s energy consultant, to prepare, advertise, disseminate and open bids and to award contracts for the purchase and delivery of natural gas and/or electricity on behalf of the Member, in accordance with such bid specification, to the lowest responsible bidder or the bid that reflects the best value as set forth by General Municipal Law § 103 (16), as is determined by the Organizing Local Governments or to reject any and all such bids; and

BE IT FURTHER RESOLVED, that the officers and employees of this Member are authorized to execute such other documents and take such other actions as may be necessary or appropriate to carry out the intent of this resolution.

This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote and the vote was as follows:

John Scanlon	Councilor	Voted	Yes
Christopher Hunt	Councilor	Voted	Yes
Kevin O’Hara	Councilor	Voted	Yes
Karen Pollard	Councilor	Voted	Yes
Mary Jo Paul	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: June 2015

Town of Marcellus Clerk

Limeledge Water District – BAN to Bond: The Board was given two options to pay off the BAN to Bond for the Limeledge Water District. Option One was to have a set amount in taxes for the next 30 years. Option two was to charge a lesser amount and gradually increase slightly the amount in taxes for the next thirty years. Councilor O'Hara made a motion seconded by Councilor Scanlon to approve option two for the Limeledge Water District Residents.

Ayes – Scanlon, Hunt, Paul, O'Hara and Pollard

Carried

Court Hours: Supervisor Paul stated that the court hours are changing in order to accommodate the hours necessary for evening court on Tuesdays. Beginning Friday, June 26, 2015 the Court office will be closing at noon.

Posted Court Hours will be:

Monday – Thursday 9:00 am – 4:30 pm

Friday 9:00 am – 12:00 pm

Letter from Resident: The following letter was received from a Town resident praising the Highway Department for their work on Deer Path.

RECEIVED

JUN 12 2015

MARCELLUS TOWN SHERR

June 10, 2015

Frederick S. Marty
4246 Deer Path
Marcellus, New York 13108

Re: Town of Marcellus - DPW/Highway Dept

Dear Ms. Paul and Board Members:

I am writing to you to land your DPW/Highway Dept. We are long time residents of Deer Path (May, 1979) and are very pleased with the service that we have received from the Highway/DPW Dept. for a long time. When we first moved in I got tired of having to replace the shock absorbers and springs in several cars due to the deplorable condition of the road. That is all history, because Deer Path is a fine road that is well maintained and serviced by our town.

Deer Path has been plowed on a regular basis by Highway Dept. employee, Tom Finn, who has done yeoman service for us in removing snow from Deer Path. Tom has done this service for a moderate period of time. Tom works hard with extended winter hours for plowing of the town roads. Tom is always cheerful no matter how long he has been out plowing the roads, and he is always willing to walk the extra mile gladly to carry out the requests of Deer Path. Tom deserves recognition from the Deer Path residents as well as many others I am sure.

Recently, we requested the town to fill in the road right of way with dirt to cover a drainage pipe. I wanted the cost of this job will be paid by us which is most proper. The highway employee who has been responsible for this work is Mike Ossit. Mike has worked tirelessly in this project for us.

(2)

He starts very early in the morning - several days before 7 AM. He is very polite and has discussed his work for us on several occasions. He is quiet in demeanor but very professional and diligent in his outstanding work. I realize that others from the Highway Dept have assisted Mike in this project and they are to be commended as well.

The person who guides the work of the DPW/Highway Dept. is Don McLaughlin. Don is very friendly, helpful and knowledgeable. He interacts with the residents of Marcelles very well and is willing to accommodate our requests. Don should be praised for running his Department in a smooth and professional manner. I have enjoyed my opportunities to work with him.

I suspect that not often do you receive letters like this commending your employees. However, since we have been well treated by the DPW/Highway Dept. on Deer Path, the employees of this Dept. so cited are due some positive recognition. Thank you for the service you render to the residents of Marcelles.

Sincerely,
Fred S. Maritz

Letters from Mayor Curtin: The following are letters received from Mayor Curtin regarding Old Home Days. Supervisor Paul stated that once again Old Home Days were very successful.

MARCELLUS OLDE HOME DAYS 2015

June 17, 2015

Mr. Phil Coccia, Director
Town of Marcellus Parks and Recreation
W. Main Street
Marcellus, NY 13108

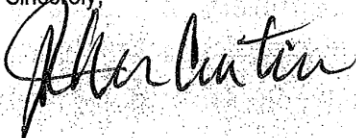
Dear Phil,

Many thanks for providing the back-up information for the Park Staff and for explaining the situation regarding the invoices for the past ten years. The timesheets were excellent for both 2014 and 2015, and help to explain much.

I am glad that we were able to reach a mutually satisfactory compensation of \$2,000 for the park staff, which did an exceptional job in keeping the park so well maintained all weekend.

We are only too willing to pay for this exceptional service and we look forward to next year's celebration as well.

Sincerely,



John Curtin, OHD Treasurer

cc: Cathy Marsden, OHD Chair
Mary Jo Paul, Marcellus Town Supervisor

MARCELLUS OLDE HOME DAYS 2015

To: Marcellus Town Supervisor and Board Members

From Marcellus Olde Home Days Committee

Re: Donation

Date: June 17, 2015

Dear Supervisor Paul and Town Board Members,

The 2015 Olde Home Days Committee is pleased to be able to make a donation of \$1,000.00 to the Town in appreciation of all that the Town and its employees do in promoting Olde Home Days each year. The Committee noted that some of the "Welcome to Marcellus" signs are becoming worn and that this donation might be used to purchase new ones. Or, the donation might be earmarked for maintenance of the Village Cemetery, particularly the care and upkeep of the iron fence surrounding it, which fence has been in existence since the first years of the Olde Home Days celebration in the 19th century.

Sincerely,

OLDE HOME DAYS COMMITTEE

Cathy Marsden, Chair

John Curtin, Treasurer

RECEIVED

JUN 18 2015

MARCELLUS TOWN CLERK

John Houser, Codes Officer,- Updates: John Houser stated that starting June 29, 2015 a student from Cazanovia College will be shadowing/interning with him. His name is Colin Spencer and he will be here one or two days a week for six to eight weeks. Supervisor Paul made a motion seconded by Councilor O'Hara to have Colin Spencer intern/shadow with John Houser. This will be no cost to the Town. Jim Gascon, Town Attorney, stated that if something should happen, he is covered by our insurance and also by the school insurance.

Ayes- Scanlon, Hunt, Paul, O'Hara and Pollard

Carried

Well Testing: John Houser stated that there are 7 completed well tests on Pleasant Valley Road. There were a total of twelve letters that went out, two people dropped out right away and some people weren't home. John should have the results shortly.

Discussion Agenda

Items from the Board:

Supervisor Paul stated that since it is about 6:15, she would like to take items 11 – 14 from the agenda and carry them over to the July 13, 2015 meeting. This way there will be time for the Board and any residents who want to take a tour of the park to work on the five – year plan for what will need to be done. She asked if any Board members had anything to say.

Councilor Scanlon stated that he has made a formal request for safety forms to Don MacLachlan, Highway Superintendent, and that he has not heard back from him. Councilor Scanlon wants to talk to the Highway Superintendent about an issue on Deer Path.

Supervisor Paul stated that the Little Library is now in Marcellus Park right by the playground.

The panic alarms were installed today at the Town Hall.

The Highway Department is working 5 days a week, eight hours a day instead of 4 days a week ten hour days.

Also, a reminder that the July Workshop Meeting will be at 5:00 PM in the Marcellus Fire Station.

Councilor Hunt made a motion seconded by Councilor Scanlon to adjourn the Marcellus Town Board meeting at 6:20 P.M.

Ayes – Scanlon, Hunt, Paul, O'Hara and Pollard

Carried

Respectfully submitted,

Sandy Taylor, Town Clerk