

**TOWN OF MARCELLUS**  
**TOWN BOARD MEETING MINUTES**

December 11, 2017

A Regular Meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on Monday, December 11, 2017 in the Town Hall, 24 East Main Street, Marcellus, New York. Those present were:

Karen R. Pollard, Supervisor  
Kevin F. O’Hara, Councilor  
John Cusick, Councilor  
Chris Hunt, Councilor  
Laurie Stevens, Councilor

Also present: Jim Gascon, Town Attorney; Phil Coccia, Recreation Director; John Houser, Codes Officer; Don MacLaughlin, Highway Superintendent; Keith Ramsden, Park Crew Leader; Kate Morris, Gabrielle Archer, Ben McFall, A. Molinari, Tom Edson, Luke Norstad, Bradley Stoyell, Taylor Crysler, Noah LeFever, Grace Coon, Dylan Cusick, Kenzie Lader, Joe Mort, Michaela Snook, Kailey Young, Emma Stuart, Halley Dellestrotto, Gary and Linda Wilcox, Kaleigh Kemp, Matthew Reagan, Michael Isgar, Karen Cotter, Ben Arpajian, Susan Dennis, Deputy Town Clerk and Sandy Taylor, Town Clerk.

Supervisor Pollard opened the meeting at 7:00 pm with the Pledge of Allegiance to the Flag.

**Minutes:** Councilor O’Hara made a motion seconded by Councilor Stevens to accept the Town Clerks minutes from the November 8, 2017 – Board Meeting and the November 22, 2017 – Workshop Meeting.

Ayes – Pollard, Stevens, Hunt, O’Hara and Cusick

Carried

**Monthly Activity:**

The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #12 as of December 7, 2017, Claim #'s 146478-146521.

|                   | <u>Expenses</u>  |
|-------------------|------------------|
| General Fund      | \$31,901.35      |
| Part Town General | 384.74           |
| Town Wide Highway | 38,198.75        |
| Part Town Highway | 64,135.69        |
| Trust & Agency    | <u>24.00</u>     |
| <br>Total         | <br>\$134,644.53 |

Board Members were given copies of the Activities Report as of December 6, 2017 for the Fiscal Year Periods 1 to 11.

|                   | <u>Revenue</u> | <u>Expense</u> |
|-------------------|----------------|----------------|
| General Fund      | (1,422,913.62) | 1,075,552.87   |
| Part Town General | ( 210,369.99)  | 132,375.61     |
| Town Wide Highway | ( 472,597.06)  | 308,318.33     |
| Part Town Highway | ( 260,336.03)  | 404,753.45     |
| Fire District     | ( 377,944.65)  | 397,067.00     |
| Hydrant Fund      | ( 2,272.15)    | 2,608.24       |
| Ambulance Fund    | ( 282,928.23)  | 282,898.00     |
| Sewer Fund        | ( 130,410.87)  | 130,398.00     |
| Water District    | ( 157,498.87)  | 174,701.68     |

Bank Statements : Ending Balances in Bank as of September 2017 - \$2,651,172.12  
 October 2017 - \$2,406,481.93

Councilor O'Hara made a motion seconded by Councilor Cusick to approve the Audited Vouchers as of December 1, 2017, the Activity Report as of December 6, 2017 and the Bank Statements from September and October 2017.

Ayes – Pollard, Stevens, Hunt, O'Hara and Cusick Carried

Fund Transfers: Phil Coccia, Recreation Director, would like to transfer funds from the accounts below and place \$12,000 in Park Capital Reserve and \$4,000 in Cemetery Capital Reserve:

|           |                         |          |
|-----------|-------------------------|----------|
| A.7110.1  | Park Salary             | \$8,000  |
| A.7110.13 | Park Recreation Salary  | \$2,000  |
| A.7310.1  | Youth Salary            | \$5,000  |
| A.7620.1  | Adult Recreation Salary | \$1,000  |
|           | Total                   | \$16,000 |

Councilor O'Hara made a motion seconded by Councilor Cusick to approve the Fund Transfers requested by Phil Coccia.

Ayes – Pollard, Stevens, Hunt, O'Hara and Cusick Carried

**OLD BUSINESS:**

**Town Resolution:**

**Permissive Referendum - Highway Department:**

**TOWN BOARD RESOLUTION  
TOWN OF MARCELLUS**

**SUBJECT TO PERMISSIVE REFERENDUM**

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 December 11, 2017, at 7:00 P.M., there were:

|                               |                 |
|-------------------------------|-----------------|
| <b>PRESENT:</b> Karen Pollard | Town Supervisor |
| Chris Hunt                    | Councilor       |
| Kevin O’Hara                  | Councilor       |
| John Cusick                   | Councilor       |
| Laurie Stevens                | Councilor       |

**WHEREAS**, the Town Board and Town Highway Supervisor have determined that the construction of a truck bay for the Highway Garage expansion has become a necessary improvement for the Town; and

**WHEREAS**, the Town Board and Town Highway Supervisor have further determined that such improvement will benefit the Town of Marcellus Highway Department; and

**WHEREAS**, pursuant to Section 6-C of the General Municipal Law, the Town Board of the Town of Marcellus has created, by means of a resolution, a capital reserve fund known as the “Building Reserve Fund” for purposes of funding the construction of the truck bay for the Highway Garage expansion for the betterment of the Town of Marcellus Highway Department; and

**WHEREAS**, such fund has been maintained in accordance with Section 10 of the General Municipal Law.

**NOW THEREFORE, BE IT RESOLVED**, the Town of Marcellus Highway Supervisor is hereby authorized to expend an amount not to exceed \$75,000.00 from the Building Reserve Fund to construct the truck bay as per the construction drawings and plans; and

**BE IT FURTHER RESOLVED**, that this resolution is subject to permissive referendum as provided in Article 7 of the Town Law; and

**BE IT FURTHER RESOLVED**, that pursuant to Section 90 of the Town Law, that within ten (10) days from the date of this resolution the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the resolution, shall contain an abstract of said resolution concisely setting forth the purpose and effect thereof, shall specify that this resolution was adopted subject to a permissive referendum, and shall publish such notice in the “Marcellus Observer,” a newspaper published in Onondaga County having general circulation in the Town of Marcellus, and in addition thereto that the Town Clerk shall post or cause to be

posted on the sign board of the Town of Marcellus, a copy of such notice within ten (10) days after the date of adoption of this resolution.

Said resolution was offered by Councilor Stevens and seconded by Councilor Hunt.

|              |                                 |            |
|--------------|---------------------------------|------------|
| <b>VOTE:</b> | <b>Supervisor Karen Pollard</b> | <b>Yes</b> |
|              | <b>Councilor Chris Hunt</b>     | <b>Yes</b> |
|              | <b>Councilor Kevin O’Hara</b>   | <b>Yes</b> |
|              | <b>Councilor John Cusick</b>    | <b>Yes</b> |
|              | <b>Councilor Laurie Stevens</b> | <b>Yes</b> |

**Resolution duly adopted.**

**Dated: December 11, 2017**

**Sandy Taylor, Town Clerk, Town of Marcellus**

**NEW BUSINESS:**

**CYNSPCA 2018 Contract:** Councilor Stevens made a motion seconded by Councilor Cusick to approve Supervisor Pollard to sign the contract with the CNY SPCA in the amount of \$559.00. This contract enables the Town to receive Animal Cruelty Services by the CNY SPCA in 2018.

Ayes – Pollard, Stevens, Hunt, O’Hara and Cusick

Carried

**Solar/Wind Exemption:** Supervisor Pollard received some information from the Assessor’s Office regarding Solar/Wind Exemptions. Jim Gascon, Town Attorney, will do some research and this will be put on the January 8, 2018 agenda. Supervisor Pollard will also talk to Larry Fitts, Town Assessor, regarding this.

**EXTENDING COLD WAR VET EXEMPTION:**

**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 December 11, 2017, at 7:00 P.M., there were:

|                 |                |                 |
|-----------------|----------------|-----------------|
| <b>PRESENT:</b> | Karen Pollard  | Town Supervisor |
|                 | Chris Hunt     | Councilor       |
|                 | Kevin O’Hara   | Councilor       |
|                 | John Cusick    | Councilor       |
|                 | Laurie Stevens | Councilor       |

**WHEREAS,** Councilor Cusick introduced proposed Local Law No. 1-2018, to extend indefinitely the real property tax exemption for veterans of the Cold War in the Town of Marcellus, and made the following motion, which was seconded by Councilor Hunt.

**WHEREAS**, the Town Board of the Town of Marcellus passed Local Law No. 7-2009 entitled “A Local Law Providing for a Real Property Tax Exemption for Cold War Veterans in Accordance with New York State Real Property Tax Law § 458-b,” which law provided for certain tax relief to Cold War Veterans for a period of ten (10) years; and

**WHEREAS**, The Town Board wishes to extend the law beyond the ten (10) year period without limitation as is permitted by Chapter 290 of the Laws of 2017; and

**WHEREAS**, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Marcellus, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter.

**NOW, THEREFORE, BE IT RESOLVED**, that this Board shall act as lead agency, the enactment of proposed Local Law 1-2018 is an unlisted action and will have no adverse impact effect on the environment in accordance with 6 N.Y.C.R.R. Part 617, and, therefore, this Board issues a negative declaration for purposes of SEQR; and it is further

**RESOLVED**, that the Town Board conduct a public hearing as to the enactment of proposed Local Law No. 1-2018 at the Town Hall located at 24 East Main Street in the Town of Marcellus on January 8, 2018 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.

Whereupon the matter was put to a vote and the vote was as follows:

|              |                                 |            |
|--------------|---------------------------------|------------|
| <b>VOTE:</b> | <b>Supervisor Karen Pollard</b> | <b>Yes</b> |
|              | <b>Councilor Chris Hunt</b>     | <b>Yes</b> |
|              | <b>Councilor Kevin O’Hara</b>   | <b>Yes</b> |
|              | <b>Councilor John Cusick</b>    | <b>Yes</b> |
|              | <b>Councilor Laurie Stevens</b> | <b>Yes</b> |

**The Resolution was declared duly adopted.**

**Dated: December 11, 2017**

**Contract with County - Highway Garage:** Councilor Stevens made a motion seconded by Councilor Hunt to have Supervisor Pollard sign the contract with the County in order to receive \$25,000 grant money for the Highway Expansion. Jim Gascon, Town Attorney, has reviewed the contact and found everything okay.

Ayes – Pollard, Stevens, Hunt, O’Hara and Cusick

Carried

**General Code Agreement:** Councilor O’Hara made a motion seconded by Councilor Cusick for Supervisor Pollard to sign the Agreement with General Code. This company will take all the Local Laws and Ordinances and arrange them so that residents can look up Local Laws on-line, they will all be categorized in a book at the Town Hall. The cost is \$14,400. This will be paid over a period of time. As General Code completes each phase and the Town has time to review it, they will bill us. There will be an annual fee of \$1,195.00 to keep the book updated.

Ayes – Pollard, Stevens, Hunt, O’Hara and Cusick

Carried

## **Discussion Agenda**

### **Items from the Board**

1. AMEND LOCAL LAW – FLOOD DAMAGE: New York State Department of Environmental Conservation sent a letter to Supervisor Pollard regarding the Town's participation in the National Flood Insurance Program. NYSDEC is recommending amending Local Law #2 of 2016 to include the Letter of Map Revision. Jim Gascon, Town Attorney, will research this and it will be on the January 8, 2018 agenda.
2. DRAINAGE ISSUE- There was no new information regarding the Drainage issue on Seneca Turnpike.

### **Items from the Floor:**

John Houser, Codes Officer, stated that the Builder of the Sage Meadows subdivision had to sign off with the Town Engineer and the Codes Officer. The Codes Officer had to be sure that all Storm Water controls are working. The Builder wanted the Board to be aware of this.

Phil Coccia, Recreation Director, stated that the Organizational Meeting will be on January 2, 2018 at 4:30 over at the Welcome Center in Marcellus Park.

Phil Coccia, Recreation Director, also stated that the Town will be receiving \$975 in service money.

Don MacLachlan, Highway Superintendent, thanked Councilor O'Hara for making a phone call about a grant for the Highway Garage.

Supervisor Pollard thanked Councilor O'Hara for his eight years on the Board and wished him well.

Councilor Stevens made a motion seconded by Councilor Cusick to adjourn the Marcellus Town Board meeting at 7:55 P.M.

Ayes – Pollard, Stevens, Hunt, O'Hara and Cusick

Carried

Respectfully Submitted,

Sandy Taylor, Town Clerk