

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

October 2, 2019

A Regular Meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, October 2, 2019, in the Town Hall, 24 East Main Street, Marcellus, New York. Those present were:

Karen R. Pollard, Supervisor  
Tammy Sayre, Councilor  
John Cusick, Councilor  
Chris Hunt, Councilor  
Laurie Stevens, Councilor

Also present: Rich Andino, Attorney, in for Jim Gascon, Town Attorney; Don MacLachlan, Highway Superintendent; John Houser, Codes Officer; Phil Coccia, Recreation Director; Keith Ramsden, Park Crew Leader; Julie Abbott- Kenan, Bill Southern, Bill & Lynn Stasik, Chuck Paul, 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.

**Julie Abbott Kenan – 6<sup>th</sup> District – Onondaga County Legislator:** Ms. Abbott –Kenan spoke about monies that will be coming to the Town for the Snow Plow Contract with the County. She stated that there is money in the County for different projects and that we should keep her informed as we proceed with projects and she will try and help us secure some grant money from the County.

**PUBLIC HEARING – TAX CAP OVERRIDE:** Supervisor Pollard opened the Public Hearing for the Tax Cap Override at 7:20 pm. One resident asked if this has anything to do with the STAR exemption, Supervisor Pollard stated that it does not. There were no other comments or questions either for or against the Tax Cap Override. Supervisor Pollard closed the Public Hearing at 7:23 pm.

**Minutes:** Councilor Cusick made a motion seconded by Councilor Hunt to accept the Supervisors minutes from the August 28, 2019, September 4, 2019, September 5, 2019 and the September 10, 2019 Budget Meetings. Also, the Town Clerk's minutes from the Special Meeting held on September 5, 2019, the Town Board Meeting on September 4, 2019 and the Workshop Meeting on September 19, 2019.

Ayes Pollard, Stevens, Hunt, Sayre and Cusick

Carried

**Monthly Activity:** The Abstract of Audited Voucher was given to Board Members as submitted by the Town Clerk. Abstract #10 as of September 30, 2019, Claim #'s 149595-149607, 149609-149612, 149614-149621, 149631-149649.

	<u>Expenses</u>
General Fund	\$42,787.99
Part Town General	3,186.17
Town Wide Highway	16,723.37
Part Town Highway	<u>4,133.83</u>
Total	\$66,831.36

Board Members were given copies of the Activities Report as of September 26, 2019 for the Fiscal Year 2019, Periods 1-9.

	<u>Revenue</u>	<u>Expenses</u>
General Fund	(1,378,803.31)	923,481.04
Part Town General	( 211,548.27)	119,145.65
Town Wide Highway	( 578,532.29)	262,283.01
Part Town Highway	( 422,542.07)	308,148.97
Fire District	( 408,930.02)	381,613.55
Hydrant Fund	( 3,524.15)	3,409.60
Ambulance Fund	( 312,132.08)	236,112.50
Sewer District	( 157,501.46)	157,491.00
Water District	( 161,050.64)	172,217.99

Bank Balances for August 2019:

Total Balance for August 2019 -\$3,612,065.14

**Bills paid between meetings:** The following bills were paid on September 23, 2019.

<u>Voucher Number</u>	<u>Vendor</u>	<u>Amount</u>
149586	Excellus BC/BS	\$18,951.35
149587	Excellus BC/BS	<u>728.82</u>
	Total	\$19,680.17

Councilor Sayre made a motion seconded by Councilor Stevens to approve the Abstract of Audited Vouchers as of September 30, 2019, the Activities Report as of September 26, 2019, the bills that were paid on September 23, 2019 and the Bank Balances for August 2019.

Ayes – Pollard, Stevens, Hunt, Sayre and Cusick

Carried

**OLD BUSINESS:**

**Adopt Local Law – Tax Cap Override:**

**RESOLUTION  
MARCELLUS TOWN BOARD**

The following resolution was offered by Councilor Hunt, who moved its adoption, seconded by Councilor Cusick, to wit:

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, Proposed Local Law B of the Year 2019 entitled, “A Local Law Overriding the Tax Levy Limit Established in General Municipal Law §3-C in the Town of Marcellus” was presented and introduced at a regular meeting of the Town Board of the Town of Marcellus held September 4, 2019; and

**WHEREAS**, the Town Board held a public hearing to consider said Proposed Local Law 2 of the year 2019 on October 2, 2019, and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connections with said proposed local law having been heard, and said Proposed Local Law having been in the possession of the Town Board of the Town of Marcellus in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

**WHEREAS**, the Town Board has previously determined the enactment of Proposed Local Law 2 of the Year 2019 to be an Unlisted action pursuant to the State Environmental Quality Review Act (SEQRA), and has further determined that it will have no significant effect on the environment, thus concluding the SEQRA review process; and

**WHEREAS**, it is in the public interest to enact said Proposed Local Law 2 of the Year 2019.

**NOW, THEREFORE**, it is

**RESOLVED AND DETERMINED**, that the Town Board of the Town of Marcellus, Onondaga County, New York, does hereby enact Proposed Local Law 2 of the Year 2019 as Local Law 2 of the Year 2019 as follows:

**TOWN OF MARCELLUS  
LOCAL LAW NO. 2 OF THE YEAR 2019**

**A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN  
GENERAL MUNICIPAL LAW § 3-c IN THE TOWN OF MARCELLUS**

**Be it enacted** by the Town Board of the Town of Marcellus as follows:

**SECTION 1            LEGISLATIVE INTENT**

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Marcellus pursuant to General Municipal Law § 3-c, and to allow the Town of Marcellus to adopt a budget for the fiscal year beginning January 1, 2020, and ending December 31, 2020, that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

**SECTION 2                    AUTHORITY**

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorized the Marcellus Town Board to override the tax levy limit by the adoption of a local law approved by vote of at least 60% of the Marcellus Town Board.

**SECTION 3                    TAX LEVY LIMIT OVERRIDE**

The Town Board of the Town of Marcellus, County of Onondaga, is hereby authorized to adopt a budget for the fiscal year 2020 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-c.

**SECTION 4                    SEVERABILITY**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation or circumstance shall be adjudicated by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this Local Law or in its application to the person, individual, firm, or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

**SECTION 5                    EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing with the Secretary of State.

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

Chris Hunt	Councilor	Voted	Aye
John Cusick	Councilor	Voted	Aye
Laurie Stevens	Councilor	Voted	Aye
Tammy Sayre	Councilor	Voted	Aye
Karen Pollard	Supervisor	Voted	Aye

The foregoing resolution was thereupon declared duly adopted.

**DATED: October 2, 2019**

**3601 S. E. Townline Road:** Supervisor Pollard asked John Houser, Codes Officer, if he had a chance to find someone to start clearing out the debris at 3601 S. E. Townline Road. He stated that he is working on it.

Supervisor Pollard reminded everyone that the Public Hearing's for 3601 S. E. Townline Road and 2790-2792 Otisco Valley Road will be held here at the Town Hall tomorrow, Thursday, October 3, 2019 with Jerry Wickett as the Hearing Officer.

**NEW BUSINESS:**

**Thank You from Library:** The Town received a thank you from the Marcellus Library, extending their sincerest gratitude to the Marcellus Friends of the Library and Marcellus Parks and Recreation that made the Summer Learning Program Possible.

**Approving 2020 Tentative Budget (added item):** Councilor Hunt is concerned about some of the raises that were given to employees, he feels 3% is fair. Supervisor Pollard stated that with the raises, the tax rate is still below last year's tax rate. After some discussion, Councilor Hunt made a motion seconded by Councilor Sayre that the Secretary to Codes/Planning/Zoning and the Secretary to Parks/Recreation receive a 3% raise.

Ayes – Stevens, Hunt, Sayre and Cusick

Nay – Pollard

Carried

Councilor Stevens made a motion seconded by Councilor Cusick to approve the 2020 Tentative Budget with the decrease in the raises for the Secretary to Codes/Planning/Zoning and the Secretary to Parks/Recreation.

Ayes – Pollard, Stevens, Hunt, Sayre and Cusick

Carried

**Set Public Hearing for 2020 Budget (added item):** Councilor Sayre made a motion seconded by Councilor Hunt to set the Public Hearing for the 2020 Budget on November 6, 2019 at 7:00 pm. This will be held at the Town Hall, 24 E. Main Street, Marcellus, NY.

Ayes – Pollard, Stevens, Hunt, Sayre and Cusick

Carried

**DISCUSSION AGENDA:**

**Items from the Board:** Nothing

**Items from the Floor:** Don MacLachlan, Highway Superintendent, stated that the Board did a good job on the 2020 Budget.

Councilor Cusick made a motion seconded by Councilor Hunt to adjourn the Marcellus Town Board meeting at 7:50 P.M

Ayes – Pollard, Stevens, Hunt, Sayre and Cusick

Carried

Respectfully submitted,

Sandy Taylor, Town Clerk