

TOWN OF MARCELLUS
SPECIAL MEETING MINUTES
JULY 27, 2020

A Special Meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on Monday, July 27, 2020, in the Town Hall, 24 East Main Street, Marcellus, New York. Those present were:

Present: Karen Pollard, Supervisor, Councilor John Cusick, Councilor Terry Hoey, Councilor Tammy Sayre, Councilor Laurie Stevens, Jim Gascon, Town Attorney; John Houser, Codes Officer; Don MacLachlan, Highway Superintendent; Karen Cotter, Rick Damico, Marcellus Express Laundry; Keith Ramsden, Park Crew Leader, Susan Dennis, Deputy Town Clerk; Sandy Taylor, Town Clerk.

Supervisor Pollard opened the meeting at 5:30 PM with the Pledge of Allegiance to the Flag.

OLD BUSINESS:

SEQRA – NEW TOWN HALL: Jim Gascon, Town Attorney, read a memo that he wrote for the Board for the SEQRA review regarding the Archeological Finding. This is what the memo says:

“On Wednesday, July 15, 2020, I received a verbal report from the Lead Archeologist from SUNY Binghamton, Andrea Kozub. She advised they did not find any intact soil horizons. They did encounter foundations for two outbuildings. The test pits from July 14, 2020, however, did reveal some archeological artifacts in the southern most portion of the property. It was her opinion that additional archeological site work was unlikely, but she wanted to evaluate the artifacts in the lab before making a final determination.

On July 22, 2020, I received an additional verbal report from Andrea Kozub. She advised they have completed their work. It is her opinion the site has very little research potential and they are not recommending any additional archeological work. She advised their report is completed. They will provide a copy of the report to QPK and QPK has agreed to upload the report to the State of New York Cultural Resource Information System.”

Jim Gascon, Town Attorney, then reviewed with the Board and residents the SEQRA (Short E Environmental Assessment Form – Part 1- Project Information).

Jim Gascon, then reviewed all the questions on the SEQRA – Part 2 – Impact Assessment and Part 3 – the Determination of Significance.

Councilor Cusick made a motion seconded by Councilor Stevens that this action shall have no adverse impact on the environment; that accordingly, an environmental impact statement (EIS)

shall not be required; and that the Town Board hereby adopts a Negative Declaration for purposes of SEQRA.

Ayes – Pollard, Stevens, Hoey, Sayre and Cusick

Carried

SEQRA – Resolution: Supervisor Pollard read the following resolution:

TOWN OF MARCELLUS TOWN BOARD
TOWN OF MARCELLUS TOWN HALL PROJECT SEQRA RESOLUTION

At a special meeting of the of the Town Board of the Town of Marcellus, held at the Marcellus Town Hall, 24 E. Main Street, in said Town, County of Onondaga and State of New York on July 27, 2020, at 5:30 P.M. there were:

PRESENT:	Karen Pollard	Town Supervisor
	Terry Hoey	Councilor
	John Cusick	Councilor
	Tammy Sayre	Councilor
	Laurie Stevens	Councilor

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

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, the proposed action consists of the construction of a new Town of Marcellus Town Hall building and associated improvements to be located at 22 – 24 E. Main Street, Marcellus, New York; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the proposed action, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed construction of a new Town of Marcellus Town Hall, with the result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the proposed construction is an unlisted action for purposes of environmental review under SEQRA; and

WHEREAS, the Town Board has determined that a Short Environmental Assessment Form (EAF) shall be required in connection with this matter; and

WHEREAS, the said EAF has been prepared and has been reviewed by the Town Board; and

WHEREAS, the Town Board has considered the proposed action, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the Town Hall construction against said criteria; and

WHEREAS, the Board has considered and discussed fully the potential environmental impacts of the proposed action.

NOW, THEREFORE,

BE IT RESOLVED AND DETERMINED that the Town Board of the Town of Marcellus is hereby determined to be lead agency, that the proposed construction of a new Town Hall is an unlisted action and a Short Environmental Assessment Form has been prepared in connection with this action; and be it further

RESOLVED AND DETERMINED that the Town Board of the Town of Marcellus has determined this action shall have no adverse impact on the environment; that accordingly, an environmental impact statement (EIS) shall not be required; and that the Town Board hereby adopts a **Negative Declaration** for purposes of Article 8 of the Environmental Conservation Law, Volume 6 of the N.Y.C.R.R. Part 617 et seq. for the following reasons:

1. The Town of Marcellus proposed to build a new one-story office building, approximately 8456 sq. ft. in size.
2. The improvements will further include the construction of a parking lot with approximately 59 parking spaces, installation of appropriate drainage and stormwater management facilities, pedestrian access, landscaping, and other incidental site improvements.
3. The improvements will be located at 22 – 24 E. Main Street, Marcellus, New York on approximately 1.57+/- acres of land. Both parcels are owned by the Town of Marcellus.
4. The new building will be utilized for the Town of Marcellus offices and Justice Court operations.
5. During normal business hours, employees and residents seeking to transact business at the Town Hall will access the site and facility. These uses and transactions are the same which occur at the existing Town Hall located at 24 E. Main Street. Accordingly, no increase in use or access to the site is anticipated.
6. Access to the new Town Hall will be via the existing curb cut for the existing Town Hall located at 24 E. Main street in the Village of Marcellus. Accordingly, no new traffic patterns will result from the construction and therefore no adverse traffic impacts are anticipated from the project.
7. The design and engineering of the project and site will ensure that no drainage issues occur, and all necessary stormwater management controls will be constructed.
8. A portion of the site, 22 E. Main Street is currently vacant undeveloped land. 24 E. Main Street houses the existing Town Hall and existing parking facilities. The existing Town Hall will not be demolished but rather will be preserved for future use by the town or future sale. No adverse impacts to the existing Town Hall are

anticipated from the construction of the new Town Hall and corresponding improvements.

9. The Town Board has engaged in extensive planning for this project and studied numerous alternatives and locations for the building. The chosen site, located adjacent to the existing Town Hall, fit the Town Board's criteria for accessibility, efficiency, and affordability.
10. Public water and sewer facilities are available at the site as well as other utilities including electric, gas, cable, telephone etc. No adverse impacts on these utilities are anticipated.
11. The building will result in a new structure along the main street of the Village of Marcellus and will be in conformance with the prevailing architecture and character of the Village.

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

Laurie Stevens	Councilor	Voted	Yes
Tammy Sayre	Councilor	Voted	Yes
John Cusick	Councilor	Voted	Yes
Terry Hoey	Councilor	Voted	Yes
Karen Pollard	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: July 27, 2020

NOTE: The original SEQRA Resolution had the address wrong in the Resolution. Councilor Cusick made the motion to approve as amended. Councilor Hoey seconded this motion. The Resolution is written as amended here in the minutes.

Rick D'Amico – owner of Marcellus Express Laundry, asked who fills in the SEQRA questions. Jim Gascon, Town Attorney, stated that he and the Town Engineer answered the questions.

PERMISSIVE REFERENDUM – NEW TOWN HALL:

**BOND RESOLUTION
(Permissive Referendum)**

At a special meeting of the Town Board of the Town of Marcellus, Onondaga County, New York, held at the Town Hall 24 E. Main Street, in said Town, on the 27th day of July, 2020 at 5:30 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Karen Pollard, and upon roll being called, the following were

PRESENT: Supervisor: Karen Pollard

Councilors: Laurie Stevens
John Cusick
Tammy Sayre
Terry Hoey

ABSENT: NONE

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

BOND RESOLUTION DATED JULY 27, 2020.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE CONSTRUCTION OF A NEW TOWN HALL, IN AND FOR THE TOWN OF MARCELLUS, ONONDAGA COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$3,000,000 AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$3,000,000 SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, the capital project hereinafter described has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the Town Board has determined will not have a significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of Marcellus, Onondaga County, New York, as follows:

Section 1. The construction of a new Town Hall on Town-owned parcels of land located at 22-24 East Main Street, in and for the Town of Marcellus, Onondaga County, New York, including original equipment, furnishings, machinery, apparatus, appurtenances, site improvement, and other incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$3,000,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of not exceeding \$3,000,000 bonds of said Town, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 11(a)(1) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Marcellus, Onondaga County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

KAREN POLLARD	VOTING	YES
LAURIE STEVENS	VOTING	YES
JOHN CUSICK	VOTING	YES
TAMMY SAYRE	VOTING	YES
TERRY HOEY	VOTING	YES

The resolution was thereupon declared duly adopted.

* * * * *

NEW BUSINESS:

BUDGET TRANSFER REQUEST: Councilor Cusick made a motion seconded by Councilor Sayre to approve the following Budget Transfer request. Lori Petrocci, Town Bookkeeper, requested a transfer of \$142,400 from the Building Reserve (A878) to the Contingency Account (A.1990.4000) to cover the additional costs of the architects, QPK Design for the New Town Hall.

Ayes – Pollard, Stevens, Hoey, Sayre and Cusick Carried

PLANNING/ZONING BOARD LOCATION CHANGE (ADDED ITEM): Councilor Stevens made a motion seconded by Councilor Sayre to approve the location change for the Planning/Zoning Board Meeting to be held on August 3, 2020. The meeting will be held at the Fire Department, Slate Hill Road, on Monday, August 3, 2020 at 7:00 pm.

Ayes – Pollard, Stevens, Hoey, Sayre and Cusick Carried

DISCUSSION AGENDA:

Supervisor Pollard stated that the County is starting to open up a few of their shelters (Pavilions). After talking with Phil Coccia, Recreation Director, they decided to start taking reservations for the Annex, Playground and Grove Pavilions. Keith Ramsden, Park Crew Leader, stated that with

the Grove Pavilion opening up, they will open up the bathrooms there as well. There will be a minimum of fifty (50) people and masks must be worn.

Supervisor Pollard asked Jim Gascon to work on the IMA with the school so that anyone here can accept School Taxes in the event that Elaine Potter would be out during tax time.

There will be a meeting with the Attorney and the Board at the conclusion of this meeting.

ADJOURNMENT: Councilor Cusick made a motion seconded by Councilor Hoey to adjourn the meeting at 6:00 pm.

Ayes – Pollard, Stevens, Hoey, Sayre and Cusick

Carried

Respectfully Submitted,

Sandy Taylor
Town Clerk