

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

September 16, 2020

A Workshop Meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, September 16, 2020, in the Town Hall, 24 East Main Street, Marcellus, New York. Those present were:

Karen R. Pollard, Supervisor  
Tammy Sayre, Councilor  
John Cusick, Councilor in at 5:35 pm  
Terry Hoey, Councilor  
Laurie Stevens, Councilor

Also present: Jim Gascon, Town Attorney; Don MacLachlan, Highway Superintendent; John Houser, Codes Officer; Phil Coccia, Recreation Director; Bill Southern, Rick Damico, John Rossiter, Keith Ramsden, Park Crew Leader and Sandy Taylor, Town Clerk.

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

**Abstract of Audited Vouchers:** The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #9 as of September 14, 2020.  
Claim #'s – 151001-151071.

	<u>Expenses</u>
General Fund	\$ 8,700.61
Part Town General	3,097.29
Town Wide Highway	9,397.16
Part Town Highway	23,333.50
Fire District	10,928.50
Hydrant Fund	1,581.41
Ambulance Fund	1,975.00
Water District	10,636.71
Trust & Agency	<u>2,195.00</u>
Total	\$71,845.18

Councilor Sayre made a motion seconded by Councilor Stevens to approve the Abstract of Audited Vouchers as of September 14, 2020.

Ayes – Pollard, Stevens, Hoey and Sayre

Carried

Councilor Cusick entered at this time – 5:35 pm.

**OLD BUSINESS:**

**Demo Project:** John Houser, Codes Officer, said that with the RFP (Requests for Proposals) that went out for the demolition of 3601SE Townline Road, not all information was completed from the contractors. He will reach out to them and get the rest of the information needed. This will be on the agenda for the October 7, 2020 meeting.

**Paper Mill Fence:** The fence that is up at the site of the old Paper Mill was installed by Leader Fence; this was only supposed to be up until the State put up the guard rails. The Town does not own the fence. The property has been bought by an individual. John Houser, Codes Officer, will contact Leader Fence and let them know that they can come and take it down. Jim Gascon, Town Attorney, will draft a letter to the new owners of the property and let them know that the Town will have the fence taken down at some point.

## **NEW BUSINESS**

**SEQRA for Tax Cap Override:** Supervisor Pollard read through the SEQRA (Short Environmental Assessment Form) for the Tax Cap Override. Councilor Stevens made a motion seconded by Councilor Hoey to approve the SEQRA for the Tax Cap Override, as this will have no significant adverse impact on the environment.

Ayes – Pollard, Stevens, Hoey, Sayre and Cusick

Carried

## **Set Date for Public Hearing: Tax Cap Override Resolution:**

### **TOWN OF MARCELLUS TOWN BOARD RESOLUTION**

#### **TOWN OF MARCELLUS LOCAL LAW NO B OF THE YEAR 2020**

(“A Local Law Overriding the Tax Levy Limit Established  
In General, Municipal Law §3-c in the Town of Marcellus”)

Councilor Stevens introduced proposed Local Law No B of the year 2020, relating to the ability of the Town of Marcellus 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 Town Budget for the fiscal year 2021 in excess of the “tax levy limit,” and made the following motion, which was seconded by Councilor Hoey.

**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**, 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 (SEQRA) 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; and

**WHEREAS**, the adoption of said Local Law 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 adoption of said Local Law, 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 adoption of said Local Law against said criteria.

**NOW, THEREFORE**, it is

**RESOLVED AND DETERMINED** the Town Board has determined this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQRA; and it is further;

**RESOLVED AND DETERMINED** that the town Board conduct a public hearing as to the enactment of Proposed Local Law No. B of the year 2020 at the Marcellus Town Offices located at 24 East Main Street in said Town on October 7, 2020 at 7:00 pm., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

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

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

The foregoing resolution was thereupon declared duly adopted.

DATED: September 16, 2020

**Mike O'Shea – QPK Designs:** Met with Attorney and Board at conclusion of meeting.

**COVID 19 LOSAP Bill Adoption – Fire Department:** John Rossiter, President of the Marcellus Fire Department, requested that the Board approve a bill that was adopted by NYS providing five points per member during which time the Fire Department did not hold any drills during the COVID 19 Pandemic. The Fire Department cancelled firematic drills and monthly business meetings from March 2020 until July 2020. The Board of Directors approved five points to be awarded to each member during the four months of “shut down”. Councilor Hoey made a motion seconded by Councilor Sayre to approve providing five points per member of the Fire Department during the COVID 19 Pandemic. The Board has to officially approve the awarding of the points because the LOSAP funds are provided by the Town of Marcellus.

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

**Storm Water Resolution:** Councilor Stevens made a motion seconded by Councilor Cusick to adopt the Resolution Supporting Participation in the CNY Stormwater Coalition Staff Services and Education Compliance Assistance Program.

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

**Resolution Supporting Participation in the  
CNY Stormwater Coalition Staff Services and  
Education Compliance Assistance Program**

Resolution authorizing the items listed below pursuant to requirements of the New York State Pollutant Discharge Elimination System Municipal Separate Storm Sewer System General Permit.

WHEREAS, The Town of Marcellus  
(Legal Name of Municipality)

herein call the “municipality”, after thorough consideration of the various aspects of the problem and consideration of available information, has hereby determined that certain work, as described in Attachment A, herein called the “Project”, is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Central New York Regional Planning & Development Board, herein called the “Board”, has provided program planning and implementation assistance pertaining to the requirements of the New York State Pollutant Discharge Elimination System (SPDES) Stormwater Phase II General Permit for Municipal Separate Storm Sewer System (MS4) operators since 2002, and

WHEREAS, the Board has proposed staff and education assistance services in support of sustaining the CNY Stormwater Coalition and to provide a regional public education, outreach and training compliance program to reduce municipal staff burdens, ensure consistency, provide widespread priority audience targeting the most efficient use of limited municipal funds by distributing total program costs over a number of entities within a twelve month timeframe as outlined in Attachment B;

NOW, THREFOER, BE IT RESOLVED BY The Marcellus Town Board

(Governing Body of Municipality)

1. That Karen R. Pollard, Town Supervisor  
(Name and Title of Chief Elected Official)

or such person's successor in office is the representative authorized to act in behalf of the Municipality's governing body in all matters related the Project:

2. That the Municipality agrees that it will fund its portion of the program cost in the amount of \$3,600, and that those funds will be made available to the Board upon receipt of invoice.
3. That one (1) certified copy of this Resolution will be prepared and sent to the Board upon adoption.
4. That this resolution take effect immediately.

Dated: September 16, 2020

**2021 Budget:** Supervisor Pollard handed out a Property Tax Cap Summary Sheet that Lori Petrocci, Bookkeeper, filled in. As of this time, the town is \$44,902 under the Tax Cap.

Supervisor Pollard stated that The Fire Department will be meeting with the Board on Monday, September 21, 2020 at 5:30.

**Date Change (added item):** Councilor Sayre made a motion seconded by Supervisor Pollard to change the Budget Meeting that is scheduled for Wednesday, September 23 to Thursday, September 24, 2020. The meeting will be held in the Welcome Center and the time is still 5:30 pm.

Ayes – Pollard, Stevens, Hoey, Sayre and Cusick

Carried

**COVID 19 Procedures:** The Board received information from the Town Attorney's Office that Governor Cuomo signed Legislation requiring plans to Protect Public Workers in Future Health Emergencies. The Town must submit a plan by April 1, 2021. Jim Gascon, Town Attorney, stated that the Law Office will work on a resolution and give it to the Board for their review on this matter. No action to be taken on this matter.

**Budget Adjustment – Highway Department:0** Councilor Stevens made a motion seconded by Councilor Cusick to approve the budget transfer of \$900 from the Part – Town Highway Revenue Account DB.2700 to the expense line DB.5110.1000. This money was received from the Marcellus Central School District for the Highway employees who helped truck black top for the school. It will be going into the salary line (DB.5110.1000) to cover the payroll cost.

Ayes – Pollard, Stevens, Hoey, Sayre and Cusick

Carried

**DISCUSSION AGENDA:**

**Items from the Board:** Supervisor Pollard stated that they will be having an Attorney/Client Meeting at the conclusion of the Town Board Meeting.

**Items from the Floor:** Phil Coccia, Recreation Director stated that all is well at the Park.

Don MacLachlan, Highway Superintendent, reminded everyone that trash days are coming up.

Bill Southern, Sheehan Road, was questioning about why the Board is going into a Meeting with the client and it is not an Executive Session.

**Adjournment:** Councilor Cusick made a motion seconded by Councilor Sayre to adjourn the Marcellus Town Board meeting at 6:40 P.M.

Ayes – Pollard, Stevens, Hoey, Sayre and Cusick

Carried

Respectfully submitted,

Sandy Taylor, Town Clerk