

TOWN OF MARCELLUS
Workshop Meeting Minutes
Wednesday, July 21, 2021
5:30 PM

A Workshop Meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, July 21, 2021, in the Town Hall, 24 East Main Street, Marcellus, New York.

Those present:

Karen R. Pollard, Supervisor
John R. Cusick, Councilor
Terry Hoey, Councilor
Tammy Sayre, Councilor
Laurie Stevens, Councilor

Also present: Don MacLachlan, Highway Superintendent; Michael Ossit, Deputy Highway Superintendent; Phil Coccia, Recreation Director; John Houser, Codes Officer; Jim Gascon, Town Attorney; Susan Dennis, Deputy Town Clerk and Sandy Taylor, Town Clerk.

Abstract of Audited Vouchers: The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #7 as of July 20, 2021. Claim #'s 152267-152314, 152318-152320.

	<u>Expenses</u>
General Fund	\$ 16,856.99
Part Town General	3,652.28
Town Wide Highway	11,068.10
Part Town Highway	70,518.98
Trust & Agency	<u>1,284.33</u>
Total	\$103,380.68

Another Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #7 as of July 21, 2021. Claim #'s 152234-152236.

	<u>Expenses</u>
General Fund	\$ 3,900.00
Ambulance Fund	77,930.75
Total	\$81,830.75

Bills Paid between Meetings: The following bills were paid on July 13, 2021:

<u>Voucher #</u>	<u>Vendor</u>	<u>Amount</u>
152262	NYSEG	\$ 318.86
152263	NYSEG	699.88
152264	SELECTIVE INSURANCE	513.00
152265	WINDSTREAM	<u>575.44</u>
	Total	\$2,107.18

Councilor Cusick made a motion seconded by Councilor Sayre to approve the Abstract of Audited Vouchers, for our monthly bills, as of July 20 and 21st, 2021 and the bills that were paid on July 13, 2021.

Ayes – Pollard, Stevens, Hoey, Sayre and Cusick

Carried

Abstract of Audited Vouchers (New Town Hall): The Abstract of Audited Vouchers (for the New Town Hall) was given to the Board Members as submitted by the Town Clerk. Abstract #7 as of July 21, 2021. Claim #'s 152315-152317 and 152321- 152323.

Capital Projects	<u>Expenses</u> \$74,038.17
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Councilor Sayre made a motion seconded by Councilor Stevens to approve the Abstract of Audited Vouchers (for the New Town Hall) as of July 21, 2021.

Ayes – Pollard, Stevens, Hoey, Sayre and Cusick

Carried

OLD BUSINESS

Tax Collection Partial Payment – Resolution: Elaine Potter, Tax Collector, asked the Town at the request from the County) to be able to collect a partial payment of Delinquent Property Tax The resolution (as amended – The time on the resolution was 7:00 pm amended to 5:30 pm) is below.

IN THE MATTER OF

**THE TOWN OF MARCELLUS PROVIDING
FOR THE PARTIAL PAYMENT OF
DELINQUENT REAL PROPERTY TAXES**

RESOLUTION

The Town Board of the Town of Marcellus, in the County of Onondaga, State of New York, met in regular session at the Municipal Building, located at the Town Hall, in the Town of Marcellus, County of Onondaga, State of New York, on the 21st day of July, 2021 at 5:30 p.m.

The meeting was called to order by Supervisor Karen Pollard, and the following Councilors were present, namely:

John Cusick
Terry Hoey
Tammy Sayre
Laurie Stevens

Also Present: Town of Marcellus Attorney James J. Gascon and Town Clerk Sandy Taylor
Absent:

The following resolution was moved by Councilor Hoey and seconded by Councilor Cusick.

WHEREAS, New York State Real Property Tax Law § 928-a authorizes the Town of Marcellus to accept partial payments of delinquent real property taxes; and

WHEREAS, it is in the interest of the Town of Marcellus to afford taxpayers the opportunity to pay delinquent taxes in installments and it will benefit the Town of Marcellus to have the ability to accept partial payments of real property taxes;

NOW THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED, that the Town of Marcellus Town Tax Collector hereby is authorized to accept from any taxpayer at any time partial payments of delinquent real property taxes, special assessments and ad valorem levies and to apply such partial payments to the amount owed; and be it further

RESOLVED, that there shall be no limit on the number of partial payments that a taxpayer may make on a particular tax map parcel, except that any partial payment shall be at least two hundred dollars and if the balance due on a tax bill is less than two hundred dollars after crediting all partial payments previously made for that tax parcel, then the unpaid balance must be paid in full; and be it further

RESOLVED, partial payments on any tax bill with a balance of less than two hundred dollars will not be accepted; and be it further

RESOLVED, that all outstanding fees must be paid before any partial payment will be accepted; and be it further

RESOLVED, that after any authorized partial payment has been paid and credited, interest and penalties shall be charged against the remaining balance only; and be it further

RESOLVED, that acceptance of partial payments shall not be deemed to alter or limit any liens and powers of the Town of Marcellus conferred by general, special or local law, and the Town of Marcellus shall continue to have all rights and powers to enforce collection of delinquent taxes and liens, together with interest, penalties and other lawful charges.

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

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

The foregoing Resolution was thereupon declared duly adopted.

DATED: July 21, 2021

Sandy Taylor
Town of Marcellus Clerk

Deputy Tax Collector – Appointment of Deputy Tax Collector:

**RESOLUTION APPOINTING
A DEPUTY TAX COLLECTOR**

July 21, 2021

At a regular meeting of the Town of Marcellus Town Board on July 21, 2021 at 5:30 P.M., the following Resolution was made by Councilor Stevens and seconded by Councilor Hoey:

WHEREAS, the Town of Marcellus (hereinafter “Town”) currently has a single Tax Collector for the collection of Town, County and School Taxes, and

WHEREAS, the Town and the Marcellus Central School District (hereinafter “School District”) have determined that it is beneficial to have a Deputy Tax Collector to serve in the absence or inability of the Tax Collector to so serve, and

WHEREAS, the Tax Collector has the authority to create the position of Deputy Tax Collector pursuant to Town Law Article 3, Section 35, and

WHEREAS, it will be mutually beneficial for the School District and the Town to have access to the services of a Deputy Tax Collector, and to enter into an Intermunicipal Agreement regarding same,

NOW, THEREFORE, BE IT RESOLVED, that the Town hereby consents to and requests the Tax Collector to create the position of Deputy Tax Collector and further requests the Tax Collector to appoint Deputy Clerk Susan Dennis to said position, and be it further

RESOLVED, such appointment shall be made by an instrument in writing which shall become effective upon the filing thereof in the Office of the Town Clerk, and be it further

RESOLVED, the Deputy Tax Collector shall possess the powers and perform the duties of the Collector of Taxes during the absence or inability to act of the Tax Collector, or during a vacancy in the Office of the Tax Collector, and be it

RESOLVED, the Town further authorizes the Town Supervisor to sign and thereby enter into the attached Intermunicipal Agreement (“IMA”) with the School District permitting the Deputy Tax Collector to also collect school taxes pursuant to the terms and conditions contained in said IMA which is incorporated herein in its entirety.

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

VOTE:	Karen Pollard, Town Supervisor	YES	
	John Cusick, Councilor		YES
	Terry Hoey, Councilor		YES
	Tammy Sayre, Councilor	YES	
	Laurie Stevens, Councilor	YES	

The foregoing Resolution was thereupon declared duly adopted.

Dated: July 21, 2021

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

IMA – Deputy Tax Collector – School & Town:

**INTERMUNICIPAL AGREEMENT
FOR DEPUTY TAX COLLECTOR SERVICES**

BY AND BETWEEN
The Town of Marcellus
And
The Marcellus Central School District

Agreement made as of this 21s day of July 2021, by and between the Town of Marcellus, a municipal corporation, with its offices at 24 East Main Street, Marcellus, New York (hereinafter referred to as the “Town”), and the Marcellus Central school District, with its primary address as 2 Reed Parkway, Marcellus, New York (hereinafter referred to as “the School District”).

WITNESSETH:

WHEREAS, the School District requires the services of a tax collector to receive school taxes; and

WHEREAS, Elaine Potter is the duly elected Tax Collector for the Town of Marcellus and the Marcellus Central School District (hereinafter “Tax Collector”); and

WHEREAS, the School District desires to obtain the services of a Deputy Tax Collector in the event the Tax Collector is unavailable to receive said school taxes; and

WHEREAS, the Tax Collector’s office is currently located in the Marcellus Town Hall; and

WHEREAS, the Town’s Deputy Clerk Susan Dennis is available and capable of collecting school taxes in the event the Tax Collector is not available; and

WHEREAS, having Susan Dennis serving in the role of Deputy Tax Collector is to the mutual benefit of the School District as well as to the District and Town residents.

NOW, THEREFORE, it is hereby

AGREED, Deputy Clerk Susan Dennis will serve in the capacity as Deputy Tax Collector for the School District; and it is further

AGREED, Deputy Clerk Susan Dennis will only collect school taxes in the event the Tax Collector is unavailable and/or unable to collect the school taxes; and it is further

AGREED, Deputy Clerk Susan Dennis will diligently and accurately record separately the time spent by her to collect said school taxes; and it is further

AGREED, the School District will reimburse the Town for Deputy Clerk Susan Dennis' time spent collecting school taxes at a flat rate of twenty dollars (\$20.00) per hour; and it is further

AGREED, the term of this Agreement shall extend to the remainder of the calendar year 2021 and will automatically renew annually without need for further action by either the Town or the School District; and it is further

AGREED, either party may terminate this Agreement without cause for any reason upon thirty (30) days written notice to the other party.

Intending to be bound hereby and upon the authorization of the Town Board and the School Board, the Town Supervisor and the School Superintendent execute this Agreement.

Date: July 21, 2021

TOWN OF MARCELLUS
Karen R. Pollard, Town Supervisor

Date:

MARCELLUS CENTRAL SCHOOL
Michele Branter
School Superintendent

Agreement & Down payment for Messenger Communications: Councilor Stevens made a motion seconded by Councilor Sayre to authorize Supervisor Pollard to sign the agreement with Messenger Communications for a new phone system. The down payment for the phones is \$3,000 with a balance of \$1,675. The estimated cost of the cabling is \$15,645, with a deposit of 50% down.

Ayes – Pollard, Stevens, Hoey, Sayre and Cusick

Carried

Solar Farms: A discussion ensued regarding Solar Farms. Jim Gascon, Town Attorney, explained that a Solar Company would apply to the Town Board for a Solar Permit. The Town Board would then take the application to the Planning/Zoning Board for their consent. At this time, the Town Engineer and the Solar Company's Engineer would work out the details. Jim Gascon, Town Attorney, is going to review the Town's Solar Law's and let the Town know when he would like it back on the agenda for further discussion.

NEW BUSINESS

Reagan's Insurance Renewal: Tom Riley, Reagan's Insurance, presented the Board with a Premium Comparison for the 2021 – 2022 insurance rates. After reviewing the insurance premiums, the increase is up \$3,851.88. A large part of that increase is due to Cyber Coverage.

Councilor Stevens made a motion seconded by Councilor Hoey to approve the new insurance policy for the Town of Marcellus for 2021 – 2022.

Ayes – Pollard, Stevens, Hoey, Sayre and Cusick

Carried

Supervisor Pollard then asked Mr. Riley about insurance for the new building. He stated that the insurance company would need some information regarding square feet, what type of heating system, what material is being used in the constructions and also if there are sprinkler systems throughout. Once the information is given to them, they can create a quote for the Town. Mr. Riley also stated that Insurance Companies do not like to see buildings vacant for very long as there is a better chance of vandalism

Agreement for the Expenditure of Highway Moneys: Councilor Cusick made a motion seconded by Councilor Stevens to approve the Agreement for the Expenditure of Highway Moneys. This form is sent to the County making them aware of projects the Highway Department will be working on.

Ayes – Pollard, Stevens, Hoey, Sayre and Cusick

Carried

Highway – Truck Request: Michael Ossit, Deputy Highway Superintendent, present to the board information on a 2021 International truck that the Highway Department would like to purchase. The Highway Department is requesting the Board to approve the use of Highway Equipment Reserve Funds (DA878) in an amount not to exceed \$120,000 for the purchase of the 2021 International plow truck. Councilor Hoey made a motion seconded by Councilor Cusick to approve Jim Gascon, Town Attorney, to draft up a Permissive Referendum for the Highway Department to purchase a 2021 International plow truck, taken from Highway Equipment Reserve Fund (DA878) not to exceed \$120,000.

Ayes – Pollard, Stevens, Hoey, Sayre and Cusick

Carried

Discussion on Construction Noise: Supervisor Pollard received an email from a resident regarding a construction project (going into its second year) in a Marcellus neighborhood. The contractor has been working Sundays and holidays, using construction equipment causing loud noise and creating a dust storm. After doing some research, this resident found that the Village has a code on noise that reads as follows “Except as otherwise provided herein, no person shall conduct or permit to be conducted construction, alone or in combination with other construction conducted or permitted by such person in a manner as to cause unnecessary noise between 9:00 pm and 7:00 a.m. Monday to Saturday, inclusive or at any time on Sundays or legally declared holidays.” After some discussion, it was determined that the Town does not receive a lot of noise complaints, so at this point no action will be taken on this subject.

Budget Adjustment – Advanced Network: Lori Petrocci, Bookkeeper, requested a budget adjustment. She would like to transfer \$7,500 from the General Fund Contingency Account (A.1990.4000) to the Communications expense line (A.1650.4000) to cover any additional expenses that may occur with Peter Knowles, from Advanced Network. Any money that would be left at the end of the year would go back into the General Fund. Councilor Sayre made a motion seconded by Councilor Hoey to approve the Budget Transfer of \$7,500 from A.1990.4000 to A.1650.4000.

Ayes – Pollard, Stevens, Hoey, Sayre and Cusick

Carried

TOWN HALL

DISCUSSION AGENDA

Supervisor Pollard received an email from the County Executive regarding different grants. She was told that there are certain criteria for each grant.

Fact Sheet - Covid 19: Don MacLachlan, Highway Superintendent, received a Fact Sheet about what the Coronavirus State and Local Fiscal Recovery Funds will Deliver for State, Local, territorial and Tribal Governments to Respond to the COVID-19 Emergency and Bring Back Jobs. This gives an outline of what COVID -19 Recovery Funds will cover.

Supervisor Pollard received from OCWA (Onondaga County Water Authority) a letter that was sent to residents explaining that they would be doing work along the pipeline. This is informational in case someone should ask.

Supervisor Pollard asked the Board to start thinking about when they would like to meet for Budget Meetings. This will be on the August 4, 2021 agenda to set the dates.

Supervisor Pollard mentioned that there are two residents that are very interested in this building. The discussion ensued that the Board should contact a surveyor to determine how much land would go with this building.

Time Change (added item): Jim Gascon, Town Attorney, asked if the Board would be willing to change the start time for the Workshop Meetings to 6:00 pm. He has a conflict and doesn't get here until the last minute. Supervisor Pollard made a motion seconded by Councilor Cusick to change the starting time of the Workshop Meetings to 6:00 pm. This will start with the August 18 Workshop Meeting.

Ayes – Pollard, Stevens, Hoey, Sayre and Cusick

Carried

Supervisor Pollard stated that she would like to meet with Council at the end of the meeting.

ADJOURNMENT: Councilor Stevens made a motion seconded by Councilor Cusick to adjourn the Workshop Meeting at 7:00 pm.

Ayes – Pollard, Stevens, Hoey, Sayre and Cusick

Carried

Respectfully Submitted,

Sandy Taylor
Town Clerk