

MARCELLUS TOWN BOARD MEETING
Wednesday, October 6, 2021
7:00 pm

A Regular Meeting of the Town Board of the town of Marcellus, County of Onondaga, State of New York was held on Wednesday, October 6, 2021, in the Town Hall, 24 E. Main Street, Marcellus, New York.

Present: Karen R. Pollard, Supervisor
Laurie Stevens, Councilor
Terry Hoey, Councilor
Tammy Sayre, Councilor

Absent: John Cusick, Councilor

Also Present: Don MacLachlan, Highway Superintendent; John Houser, Codes Officer; Karen Cotter, Secretary to Planning/Zoning & Codes; Jim Gascon, Town Attorney; Larry Fitts, Town Assessor; Bill Southern, Gary and Linda Wilcox, Malia Couse, James Couse, John Walsh, Chester Cox, Natalie Pidkaminy, Nancy Bunn, Steven Bolewski, Susan Dennis, Deputy Town Clerk and Sandy Taylor, Town Clerk.

Minutes: Councilor Stevens made a motion seconded by Councilor Sayre to waive the reading and accept the minutes from the following meetings: Budget Meeting, August 31, 2021; Budget Meeting, September 1, 2021; Regular Meeting, September 1, 2021; Budget Meeting, September 9, 2021 and the Workshop Meeting on September 15, 2021.

Ayes – Pollard, Stevens, Hoey and Sayre

Carried

Monthly Activity: The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #10 as of October 4, 2021. Claim Numbers: 152604-152644, 152652-452656.

	<u>Expenses</u>
General Fund	\$ 37,638.23
Part Town General	128.44
Town Wide Highway	6,803.06
Part Town Highway	24,327.05
Ambulance Fund	<u>77,930.75</u>
Total	\$146,827.53

Board Members were given the Activities Report as of October 1, 2021 for the Fiscal Year 2021. Period 9.

Revenue

Expenses

General Fund	(1,541,051.06)	834,166.17
Part Town General	(178,025.21)	121,247.08
Town Wide Highway	(577,724.34)	241,256.00
Part Town Highway	(361,561.90)	358,889.51
Fire District	(408,783.32)	384,590.00
Hydrant Fund	(3,036.24)	3,022.40
Ambulance Fund	(319,491.88)	241,542.25
Sewer District	(195,431.52)	195,430.00
Water District	(156,048.48)	176,996.00

Bank Balances:

Total of Bank Balances for August 2021 – \$6,032,443.60

Bills Paid between Meetings: The following bills were paid on September 22, 2021.

<u>Voucher</u>	<u>Vender</u>	<u>Amount</u>
152585	Excellus BC/BS	405.40
152586	Excellus BC/BS	405.40
152587	Excellus BC/BS	15,747.80
152588	Excellus BC/BS	629.04
152589	Simply Prescriptions	676.23
152590	Simply Prescriptions	676.23
152591	NYSEG	25.98
152592	Excellus BC/BS	202.70
152593	Excellus BC/BS	<u>202.70</u>
TOTAL		\$18,971.48

Councilor Hoey made a motion seconded by Councilor Sayre to approve the Abstract of Audited Vouchers as of October 4, 2021, the Activities Report as of October 1, 2021, the Bank Balances for August 2021 and the bills paid on September 22, 2021.

Ayes – Pollard, Stevens, Hoey and Sayre

Carried

New Town Hall: The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #10 as of October 4, 2021. Claim Number's 152657-152664.

Expenses

Capital Projects \$117,379.20

Bill paid on September 24, 2021 for New Town Hall:

<u>Voucher</u>	<u>Vendor</u>	<u>Amount</u>
152603	NYSEG	\$296.17

Councilor Sayre made a motion seconded by Councilor Stevens to approve the Abstract of Audited Vouchers and the bill paid on September 24, 2021 for the New Town Hall.

Ayes – Pollard, Stevens, Hoey and Sayre Carried

OLD BUSINESS

Assessment – Property Photos: Larry Fitts, Town Assessor, spoke to the Board about the advantages of having photos of resident's houses on the Onondaga County Website. Here are a few of the advantages: a photo is a great reference and specifically identifies the property when a person contacts the assessor – either by phone or email; a property owner can go and print out pictures of comparable parcels; photos are a great assistance to the Board of Assessment Review (BAR), the five-member board may struggle to identify a property in their minds. Councilor Hoey made a motion seconded by Councilor Sayre to authorize Supervisor Pollard to sign the Agreement with Fitts Appraisal Company to take photos of the residents' homes in Marcellus at a cost of \$6,000. This would take place in October, November and December of 2021 and January, February and March of 2022. Fitts Appraisal will take all photos and place these photos on the appropriate tax map parcel in the Real Property System.

Ayes – Pollard, Stevens, Hoey and Sayre Carried

Cannabis Discussion: After a discussion regarding the Marijuana Regulation and Taxation Act, Supervisor Pollard made a motion seconded by Councilor Stevens not to opt – out of having retail sales/dispensaries in the Town of Marcellus. New York State is still working on some of the details and Towns can regulate where they are located in the Town of Marcellus. The informational meeting from September 30, 2021 states some of the laws that were presented by an Attorney from Costello, Cooney and Fearon.

Ayes – Pollard, Stevens, Hoey and Sayre Carried

NEW BUSINESS

Storm Water – John Houser: Councilor Sayre made a motion seconded by Councilor Hoey to adopt the following Resolution Supporting Participation in the CNY Stormwater Coalition Staff Services and Education Compliance Assistance Program.

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

Resolution Supporting Participation in the

NYS 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 herein called 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 11 General Permit for Municipal Separate Storm Sewer Systems (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, THEREFORE, BE IT RESOLVED BY The Town Board

1. That Karen R. Pollard, Town Supervisor 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: October 6, 2021

JCAP Grant for Court: Councilor Stevens made a motion seconded by Councilor Sayre that the board of the Town of Marcellus authorized the Marcellus Town Court to apply for a JCAP grant in the 2021-2022 grant cycle up to \$30,000.

Ayes – Pollard, Stevens, Hoey and Sayre

Carried

OCWA – Install 1 Hydrant – Stump Road: Supervisor Pollard received a letter from OCWA (Onondaga County Water Authority) showing a proposed hydrant in the Limeledge Water District. Councilor Stevens made a motion seconded by Councilor Hoey to authorize Supervisor Pollard to sign the application for the hydrant on Stump Road in the Limeledge Water District. The developer, will pay for the hydrant installation. The Town will be notified when the hydrant is in service and will be billed the annual hydrant maintenance rate.

Ayes – Pollard, Stevens, Hoey and Sayre

Carried

Permissive Referendum – Cemetery Monument Restoration:

**TOWN BOARD RESOLUTION
TOWN OF MARCELLUS
RE: CEMETERY MONUMENT RESTORATION
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 October 6, 2021, at 7:00 P.M., there were:

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

Absent :	John Cusick	Councilor
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WHEREAS, the Town Board and Town Supervisor have determined that the monuments in the cemetery are in need of restoration; and

WHEREAS, it is expected the cost of the monument restoration will not exceed Two Thousand Dollars and 00/100 (\$2,000.00); 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 “Cemetery Capital Reserve Fund” for purposes of funding the improvements of cemetery monuments; and

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

WHEREAS, the Town Board of the Town of Marcellus is desirous of expending monies from the Cemetery Capital Reserve Fund for the restoration of monuments; and

NOW THEREFORE, BE IT RESOLVED, the Town of Marcellus Town Supervisor is hereby authorized to expend not more than Two Thousand Dollars and 00/100 (\$2,000.00) from the Cemetery Capital Reserve fund for the restoration of monuments; and

BE IT FURTHER RESOLVED, that the sum of Two Thousand Dollars and 00/100 (\$2,000.00), be designated for expenditure from the Cemetery Capital Reserve Fund in furtherance of the monument restoration, 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 “Eagle Observer”, 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 both the sign board and Website of the Town of Marcellus, a copy of such notice within then (10) days after the date of adoption of this resolution.

Said resolution was offered by Councilor Sayre and seconded by Councilor Hoey

VOTE:	Karen Pollard	Supervisor	Yes
	Terry Hoey	Councilor	Yes
	Tammy Sayre	Councilor	Yes
	Laurie Stevens	Councilor	Yes

Date: October 6, 2021

Set Date for Public Hearing for Budget (added item): Councilor Hoey made a motion seconded by Councilor Sayre to set the Public Hearing for the 2022 Budget on November 3, 2021 at 7:00 pm.

Ayes – Pollard, Stevens, Hoey and Sayre

Carried

DISCUSSION AGENDA

Comprehensive Plan Update: Supervisor Pollard met with Jerry Wickett from the Planning & Zoning Board and also with Dan Kwasnowski from the County. They reviewed the two proposals that the Town received; one from Bergmann; Architects, Engineers & Planners; The other proposal is from EDR (Environmental Design & Research). After some discussion, Councilor Stevens made a motion seconded by Councilor Hoey to authorize Supervisor Pollard to enter into an agreement (with approval from the Town Attorney) with Bergmann, Architects, Engineers & Planners to review our Comprehensive Plan.

Ayes – Pollard, Stevens, Hoey and Sayre

Carried

TOWN HALL

Listing of Town Hall: Councilor Stevens made a motion seconded by Councilor Sayre authorizing Supervisor Pollard to sign (and initial where appropriate) the papers to list the Town Hall for sale with Howard Hanna Realtors. Jim Gascon, Town Attorney, has reviewed the listing papers and has no issues with any of them. The Disclosure Papers have already been done.

Ayes – Pollard, Stevens, Hoey and Sayre

Carried

UPDATES:

Supervisor Pollard received a letter from the NYS Department of Public Service regarding Internet Access and a Broadband Survey. This will be put on the web site for residents who would like to participate in it. They would like to get internet service to more remote areas.

Supervisor Pollard stated that the Board would be meeting with Jim Gascon, Town Attorney, at the conclusion of the Town Board Meeting.

FROM THE FLOOR:

Steven Bolewski, 2973 Rose Hill Road, presented to the Board a complaint against Tim's Pumpkin Patch, 2901 Rose Hill Road, Marietta. His complaint was excess noise and vibration projecting beyond lot lines due to Rock Concerts on Friday Evenings. His specific complaint is that these outdoor amplified live band concerts have repeatedly and significantly exceeded the Town's Health and Safety Ordinance. Mr. Bolewski does not want to shut down the activities, he would just like to have the noise level lowered a bit.

ADJOURNMENT: Councilor Stevens made a motion seconded by Councilor Hoey to adjourn the Town Board Meeting at 8:05 P.M

Ayes – Pollard, Stevens, Hoey and Sayre

Carried

Respectfully Submitted,

Sandy Taylor
Town Clerk