

Town Board Meeting
Wednesday, December 7, 2022
6:30 PM

A Regular Meeting of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, December 7, 2022, in the Town Hall, 22 East Main Street, Marcellus, New York.

Present: Karen R. Pollard, Supervisor
Jamie Curtin, Councilor
Terry Hoey, Councilor
Gabe Hood, Councilor
Laurie Stevens, Councilor

Also Present: Don MacLachlan, Highway Superintendent; Phil Coccia, Recreation Director; John Houser, Codes Officer; Jim Gascon, Town Attorney; Karen Cotter, Chris Christenson, Jennifer Nagle, Liam Archie, Bill Southern, Jeff Berwald, Gary and Linda Wilcox, Jim Rossiter, Jordan Martin, Sydney Colon, Jenna Keyes, Kara Wangsness, Tom Tryter, Susan Dennis, Deputy Town Clerk and Sandy Taylor, Town Clerk.

Hearing: 4406 Limerick Street – Jim Gascon, Town Attorney, was appointed to the position of Hearing Officer for this case. He stated that John Houser, Codes Officer, asked that this be taken off the agenda as the residents have taken care of the violation.

Hearing: 2595 Pleasant Valley Road – Jim Gascon, Town Attorney, was appointed to the position of Hearing Officer for this case. Mr. Gascon, called John Houser, Codes Officer, as his only witness. Mr. Houser then raised his right hand and took the oath to tell the truth and nothing but the truth. Mr. Houser stated that complaints came into his office early in the year of 2021. Mr. Houser has communicated with the home owner regarding the litter, brush, grass and weeds in excess of 10 inches, including limbs and branches from fallen trees that constitutes blight and dangerous and unhealthful conditions. Also, litter upon front and side yard and along front porch and entry that constitutes blight and dangerous and unhealthful conditions. Mr. Houser has issued Code Violation notices. The latest one was Nov. 14, 2022. At this point, the Board set up a hearing for December 7, 2022. The owner has been notified of the hearing and it was also placed in the Town's newspaper. Mr. Houser went to the property today, December 7, 2022, and took pictures of the property. Each board member received pictures of the

property. Supervisor Pollard then asked if the property owner was here. The owner was not.

Jennifer Nagle, a resident of Pleasant Valley Road, lives right next door to the 2595 Pleasant Valley Road. She is very concerned about rodents, the trash piling up, the overgrown grass & weeds and varmints in the neighborhood. Mr. Gascon, then asked her to look at the pictures that Mr. Houser took today to verify that the house does look like the pictures. She agreed that they did. Ms. Nagle also stated that neighbors have offered to help clean up the area.

At this point, Mr. Gascon, rests this case. He proposed to the Board that they pass a resolution stating that Mr. Houser can go ahead and get the property at 2595 Pleasant Valley Road cleaned up. The homeowner would be responsible for the cost. If the homeowner refuses to pay, the cost will then be put onto the taxes for that property.

**RESOLUTION OF THE TOWN OF MARCELLUS TOWN BOARD
REGARDING REMOVAL OF BRUSH, GRASS, WEEDS
AND LITTER FROM 2595 PLEASANT VALLEY ROAD**

Dated: December 7, 2022

At a regularly scheduled Town Board meeting held on December 7, 2022, at 6:30 P.M., the following Resolution was made by Councilor Hoey and seconded by Councilor Curtin:

WHEREAS, an excessive amount of litter and overgrown brush, grass and weeds have accumulated and been present for an extensive period of time at 2595 Pleasant Valley Road; and

WHEREAS, the Town Code Enforcement Officer issued Inspection Complaints for both the excessive litter and the overgrown brush, grass and weeds on November 14, 2022; and

WHEREAS, in addition to the above, the Code Enforcement Officer issued Notices of Violations pursuant to Section 181 (3)(D) and Chapter 75(4) of the Marcellus Codes also on November 14, 2022; and

WHEREAS, upon the owner's/resident's failure to cure the violations within the time prescribed by said Codes, the Code Enforcement Officer having scheduled and notified the property owner/resident of a Removal Hearing by notification dated November 21, 2022 and having set the hearing for December 7, 2022 at the Marcellus Town Hall located at 22 East Main Street; and

WHEREAS, the hearing was held and upon receiving evidence in the form of testimony from the Town Code Enforcement Officer, photographs, the aforementioned documents and records and including a reinspection report from the Code Enforcement Officer dated December 7, 2022 indicating that the code violations still exist; **NOW UPON DUE DELIBERATION**, it is hereby,

RESOLVED, that it is the finding and determination of this Board that the owner/resident of 2595 Pleasant Valley Road is in violation of Section 181 (3) and Chapter 75(4) of the Town of Marcellus Codes; and it is further

RESOLVED, the aforementioned violations constitute unhealthful, hazardous and dangerous conditions and a public nuisance and a threat to the health, safety and welfare of the community; and it is further

RESOLVED, that the Town Code Enforcement Officer, under the direction of this Board, is hereby authorized and directed to retain the services of the appropriate persons, entities, employees and/or contractors to remove and abate the litter, debris, brush, grass, and weeds that exist upon the property pursuant to Section 181(5)(D)(1) and Chapter 75(11); and it is further

RESOLVED, the costs of said remediation shall be billed to the property owner/resident; and it further

RESOLVED, upon the property owner's/resident's failure to pay the costs of remediation within any applicable time frames set forth within said code provisions, then in said event, the costs shall be assessed against the property and shall constitute a lien thereon, pursuant to Chapter 75(12) and Section 181(5)(D)(1).

The matter of this Resolution was put to a vote of the Board with the following outcome;

Supervisor	Karen Pollard	Yes
Councilor	Laurie Stevens	Yes

Councilor	Terry Hoey	Yes
Councilor	Gabe Hood	Yes
Councilor	Jamie Curtin	Yes

WHEREUPON, the Resolution was duly adopted.

DATED: December 7, 2022

This has been an ongoing issue; therefore, John Houser will go by the Procurement Policy to receive quotes for cleaning up the property at 2595 Pleasant Valley Road.

Mr. Houser will notify the property owner of this resolution.

Waive the Reading and Accept the Minutes: Councilor Stevens made a motion seconded by Councilor Hood to waive the reading and accept the minutes as presented by the Town Clerk. The minutes are from the November 2, 2022 Town Board Meeting and the November 16, 2022 Workshop Meeting.

Ayes – Pollard, Curtin, Hoey, Hood and Stevens Carried

Monthly Activity: The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #12 as of December 6, 2022. Claim #'s 154454-154488, 154490-154504.

	<u>Expenses</u>
General Fund	\$19,862.37
Part Town General Fund	272.75
Town Wide Highway	9,892.96
Part Town Highway	14,277.00
Fire District	<u>20,300.00</u>
Total	\$64,605.08

Board Members were given the Activities Report as of December 1, 2022. Fiscal Year 2022. Period 11.

	<u>Revenue</u>	<u>Expenses</u>
General Fund	(1,999,648.55)	1,433,651.29

Part Town General Fund (212,784.91)	159,424.72
Town Wide Highway (601,468.93)	360,616.98
Part Town Highway (367,526.85)	359,892.95
Capital Projects (499,309.68)	877,186.59
Fire District (399,834.76)	376,981.00
Hydrant Fund (2,927.40)	3,074.00
Ambulance Fund (317,180.93)	317,157.00
Sewer District (200,323.94)	200,321.00
Water District (165,331.24)	180,317.00

Bank Balances:

The Total of all the Bank Balances for October 2022 is: \$3,767,722.22

Councilor Hoey made a motion seconded by Councilor Stevens to approve the Abstract of Audited Voucher, the Revenue Expense Report and the Bank Balances as of October 2022.

Ayes – Pollard, Curtin, Hoey, Hood and Stevens Carried

NEW BUSINESS

Resignation of Sandy Elsey/Appointment of Jane Attley: Sandy Elsey, Recreation Attendant, is resigning December 23, 2022. She is in the process of training Jane Attley to replace her.

Supervisor Pollard made a motion seconded by Councilor Hoey to accept Sandy’s resignation (with regret) and appoint Jane Attley as the new Recreation Attendant. Mr. Coccia stated that Sandy will be willing to help out after the first of the year, evenings or weekends, as there are grants out there to help Jane Attley with the transition.

Ayes – Pollard, Curtin, Hoey, Hood and Stevens Carried

Transfer of Funds: Phil Coccia, Recreation Director, requested the following Fund Transfers:

A.2001 Recreation Revenue to Park Capital Reserve	\$30,000
A2025 Park Pavilion Revenue to Park Capital Reserve	5,000
A.2025 Park Pavilion Revenue to Cemetery Capital Reserve	3,000
A.2089 Adult Recreation Revenue to Cemetery Capital Reserve	2,000

Councilor Stevens made a motion seconded by Councilor Hoey to approve the above fund transfers for the Recreation Department.

Ayes – Pollard, Curtin, Hoey, Hood and Stevens

Carried

Appointment of Deputy Town Clerk: Sandy Taylor, Town Clerk, is recommending Rosemary Tozzi for the Deputy Town Clerk position. Susan Dennis, current Deputy Town Clerk, is retiring from this position, her last day being December 31, 2022. Ms. Tozzi will be on a part-time basis. She does understand that if the Town Clerk is on vacation or away, she would be covering full time.

Supervisor Pollard made a motion seconded by Councilor Stevens to approve the appointment of Rosemary Tozzi for the position of Part Time Deputy Town Clerk.

Ayes – Pollard, Curtin, Hoey, Hood and Stevens

Carried

Susan Dennis, Deputy Town Clerk, will just be moving into the Assessor's Office on a part-time basis, as Helen Stevens is retiring effective December 31, 2022.

Councilor Hoey asked Mr. Coccia about smoking in the Park. Mr. Coccia explained that there is no smoking in the Park by the Playground Pavilion and in the Welcome Center. There is smoking in the rest of the Park.

Councilor Hoey had to leave the meeting at 7:10 pm.

Reports from Department Heads:

Codes: John Houser, Codes Officer, handed out his monthly report to the Board. Permits are slowing down, he has been busy getting ready for the Public Hearing for 2595 Pleasant Valley Road and dealing with complaints on 2901 Rose Hill Road. He has completed and mailed the DEC form NOTICE OF TERMINATION for permit coverage for the Town Hall Project.

Highway: Don MacLachlan, Highway Superintendent, said they are busy in the Park with the Sewer issue. He gave a big "thank you" to the Christoff's for the Christmas tree down at the Point in the Village. Also, a thank you to Peter Black for the door on the new loan closet. The Loan Closet is now located behind the Village Offices and Charnley Abbott, Village Clerk, will be taking over helping residents.

Parks/Rec: Jim Rossiter, Park Crew Leader, stated that since the bathrooms are closed, they are doing some painting in them and installing new lights in the Welcome Center.

Town Clerk: Sandy Taylor, Town Clerk, handed out her monthly report. There wasn't as much activity now that hunting season has started and most of the hunters have their licenses and trash days are over. It is a good time to start cleaning out and getting ready for 2023.

RESIDENTS COMMENTS

Bill Southern, Sheehan Road, asked about the status of access for the handicapped doors. Supervisor Pollard stated that they are working on getting quotes and that it will come out of the 2023 Budget.

DISCUSSION AGENDA

Supervisor Pollard gave each of the Board Members a copy of the Sewer Agreement between the Village and the Town. The Village brought down a revised one with their thoughts on the renewal of the Agreement. Supervisor Pollard asked the Board to review it and thinks we should have a meeting with the Village.

Supervisor Pollard stated that the Tefft Meadows Development that is planned had changed their plans with the Village. After the Mayor heard of this, they had a meeting. Supervisor Pollard just sent another letter saying that the Town supports this (the Mayor told her that they went back to their original plans).

Supervisor Pollard reminded everyone that the Workshop/Year-end meeting is Wednesday, December 28, 2022. There will be no meeting on Wednesday, December 21, 2022.

Adjournment: Councilor Curtin made a motion seconded by Councilor Hood to adjourn the Town Board Meeting at 7:20 pm.

Ayes – Pollard, Curtin, Hoey, Hood and Stevens

Carried

Respectfully Submitted,

Sandy Taylor
Town Clerk