

TOWN BOARD MEETING
REGULAR MEETING
Wednesday, January 4, 2023
6:30 pm

A Regular Meeting of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, January 4, 2023, 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, Mike Ossit, Deputy Highway Superintendent; Phil Coccia, Recreation Director; Chris Christensen, Bill Southern, Gary & Linda Wilcox, Jim Rossiter, Karen Cotter, Jim Gascon, Town Attorney; John Houser, Codes Officer and Sandy Taylor, Town Clerk.

Waive the Reading and Accept the Minutes: Councilor Hood made a motion seconded by Councilor Stevens to waive the reading and accept the minutes as presented by the Town Clerk. The minutes were from the December 7, 2022 Town Board Meeting and the December 28, 2022 Workshop/Year- End Meeting.

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

Monthly Activity: The Abstract of Audited Voucher for the 2022 bills and the 2023 bills were given to the Board Members as submitted by the Town clerk. Abstract #12 as of January 4, 2023 (these are the 2022 bills), claim #'s 154581 – 154590.

	<u>Expenses</u>
General Fund	\$3,435.21
Town Wide Highway	<u>191.59</u>
Total	\$3,626.80

Abstract #1 as of January 4, 2023 (these are the 2023 bills), claim #'s 154591-154611.

	<u>Expenses</u>
General Fund	\$90,160.30
Trust & Agency	<u>1,302.45</u>
Total	\$91,462.75

Board Members were given the Activities Report as of January 4, 2023. Fiscal Year 2022. Period 12.

	<u>Revenue</u>	<u>Expenses</u>
General Fund	(2,018,434.23)	1,603,262.89
Part Town General Fund	(214,876.68)	203,972.35
Town Wide Highway	(610,653.85)	431,473.68
Part Town Highway	(367,534.65)	297,324.81
Capital Reserves	(499,309.68)	877,186.59
Fire District	(399,837.15)	399,715.00
Hydrant Fund	(2,927.70)	3,074.00
Ambulance Fund	(317,180.95)	317,157.00
Sewer District	(200,324.06)	200,321.00
Water District	(165,332.24)	180,317.00

Bank Balances:

The Total of all the Bank Balances for November 2022 is \$3,457,902.90

Councilor Stevens made a motion seconded by Councilor Curtin to approve the Abstract of Audited Vouchers for 2022 and the Abstract of Audited Vouchers for 2023, the Revenue Expense Report and the Bank Balances for November 2022.

Ayes – Pollard, Curtin, Hoey, Hood and Stevens

Carried

NEW BUSINESS

Peter Knowles – IT Person: Mr. Knowles had a family emergency and was not able to attend tonight’s meeting. Supervisor Pollard will ask him to come to the January 18th Meeting to explain to the Board everything that happened with the computers.

Liquor License – Sunset Ridge: The Town received a request from Sunset Ridge Golf-Club for a change of class application for a NYS Liquor License. They are applying for a license to allow the sale of beer, wine, cider and liquor prior to April 1 and after Nov. 30 annually. They are also asking the Town of Marcellus waive the (30) thirty-day waiting period for the license. Jim Gascon, Town Attorney, stated that the golf course has an illegal subdivision and would have to apply for a special – use permit. Mr. Gascon, suggested to the Board that he draft a letter to Sunset Ridge Golf Club explaining that they must apply for an application to the Planning and Zoning Board to obtain a Special Use Permit and take care of the illegal subdivision. Mr. Gascon and John Houser, Codes Officer, will work on this by starting with sending them a Notice of Violation.

Contract for Attorney (added item): The Town received the Agreement for Legal Services for the Town of Marcellus. The past years, the Town worked under a retainer of \$36,000 a year

and was billed for items that the retainer didn't cover. This year, the Agreement is that the Town will be billed monthly for legal services. Hourly services also include attendance at Grievance Day(s) if required, and to provide all general legal services associated with the Board of Assessors. They will also provide legal counsel regarding:

- a. Litigation, including tax matters
- b. Enforcement Matters
- c. Special District and bonding work
- d. Legal work related to all special districts such as Sewer, Water and Lighting Districts
- e. Environmental matters and enforcements
- f. Matters before the Zoning Board of Appeals or the Planning Board; and
- g. Major non-routine projects (i.e., comprehensive plan, collective bargaining, labor and related matters other than routine telephone calls).

The hourly fees will be \$195/per hour for attorneys and \$100/per hour for paralegals. Bills for these services will be itemized and provided on a monthly basis. Payment is due for these services within 30 days of the Town's receipt of the invoice.

James J. Gascon will be the principal contact person and the attorney generally attending the meetings. In the event he is unable to attend a meeting, a qualified attorney will serve in his place.

This will be reviewed in about 6 months, to see where we stand budget-wise. Councilor Hoey made a motion seconded by Councilor Curtin authorizing Supervisor Pollard to sign the legal agreement with Costello, Cooney and Fearon. The Town will be billed monthly at the above rates.

Ayes – Pollard, Curtin, Hoey, Hood and Stevens

Carried

CNYSPCA Contract: Councilor Stevens made a motion seconded by Councilor Hood authorizing Supervisor Pollard to sign the Contract between the Town of Marcellus and the CNYSPCA. The amount is \$1,117.80 and this enables residents to contact the CNYSPCA if they see cruelty to any animals in Marcellus.

Ayes – Pollard, Curtin, Hoey, Hood and Stevens

Carried

DEPARTMENT REPORTS:

Codes: John Houser, Codes Officer, is sending out RFP's (Requests for Proposals) for 2595 Pleasant Valley Road. Currently, he is more concerned about the litter and debris around the property. He also stated that while the computers were down, he worked on a lot of Stormwater items and cleaned up some files.

The last lot on Sage Meadows has been sold, so there will be another dwelling built.

Issue on 2901 Rose Hill Road – There was a court appearance date that has been moved to January 10, 2023.

Highway: Don MacLachlan, Highway Superintendent, stated that the trucks are ready for when it snows. The Park is operational now, the work at the Park Pump Station is complete.

Recreation: Phil Coccia, Recreation Director, stated that the reservations are coming in for the Pavilions for this year. There will be a Moonlight Walk, this Saturday, January 7, 2023 from 4:00 pm – 8:00 pm.

Town Clerk: The Town Clerk handed out her monthly report. The numbers were real low, as the computers were down for about two weeks.

DISCUSSION AGENDA:

Councilor Hoey read somewhere that the State is going to pass a law that there will be no smoking in the Parks. Jim Gascon, Town Attorney, will check into this. There may be some exceptions to this.

Supervisor Pollard stated that she has received three quotes for the doors to make them Handicapped Assessable. This will be on the agenda at the February 1, 2023 meeting. Someone asked if the ARPA money can be used. Supervisor Pollard will check with Lori Petrocci, Bookkeeper, to find out how much money we have left and if that is something that money can be used for.

Village/Town Sewer Agreement: Supervisor Pollard received the Sewer Agreement from the Village. They want to make some changes. Supervisor Pollard suggested that a meeting be set up between the Mayor, Greg Crysler, Don MacLachlan and herself to go over it.

Water District in Marietta: Supervisor Pollard asked Jim Gascon, Town Attorney, if he has done anything with the proposed Water District that some residents on Brewer Road would like to get going. Jim Gascon stated that he would talk to an engineer from Camillus that does a lot of Water Districts. Supervisor Pollard doesn't want the residents to think we forgot about their concerns.

Sign Law: Supervisor Pollard asked if the Board wanted to review the sign law anymore. Councilor Hoey suggested that since a resident came in with some concerns, we should address his concerns. Supervisor Pollard recommended that Councilor Hoey, Councilor Curtin and Jim Gascon review the residents' concerns regarding the sign law.

Comprehensive Plan: Supervisor Pollard stated that there will be a meeting on February 8, 2023 to discuss the Comprehensive Plan.

Fund Balances/Reserves: Supervisor Pollard stated that the Fund Balances and Reserves will be looked at once 2022 is closed out.

Tax Credit – Fire Department: Any Fire person or Ambulance person is entitled to a tax deduction up to 10%. They already receive a \$200 tax credit. Brian Fitts, an Assessor, sent an email to Jim Gascon, Town Attorney regarding this. Mr. Gascon will send this email to Jeff Lowe, Town Assessor, and Supervisor Pollard will talk to Mr. Lowe regarding the impact on the Town.

Lawless Road - There was a water slide on Lawless Road and the residents want to sue the Town. This case is scheduled to appear in court in February.

Vacancy: Councilor Curtin asked if there was still a vacancy on the Board of Assessment Review Board. Supervisor Pollard stated that there is still a vacancy, but that Jeff Lowe, Town Assessor, stated they would be fine with only four members.

Adjournment: Councilor Stevens made a motion seconded by Councilor Hoey to adjourn the Town Board Meeting at 7:40 pm.

Ayes – Pollard, Curtin, Hoey, Hood and Stevens

Carried

Respectfully Submitted,

Sandy Taylor
Town Clerk