

Town of Marcellus  
Workshop Meeting  
Wednesday, August 16, 2023  
6:30 PM

A Workshop Meeting of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, August 16, 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: Don MacLachlan, Highway Superintendent; Mike Ossit, Deputy Highway Superintendent; John Houser, Codes Officer; Phil Coccia, Recreation Director; Jim Gascon, Town Attorney; Gary and Linda Wilcox, Bill Southern, Jim Rossiter, David Card, Tom Lathrop, Mark Delasin (President of the Fire Department), Lance Reagan, Erica Leubner, Robin Bolewski, Rosemary Tozzi, 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 #8 as of August 14, 2023. Claim #'s 155455-155510.

	<u>Expenses</u>
General Fund	\$ 87,095.85
Part Town General Fund	69.82
Townwide Highway	42,714.77
Part Town Highway	8,369.16
Fire District	<u>521.00</u>
Total	\$138,770.60

Councilor Stevens made a motion seconded by Councilor Hood to approve the Abstract of Audited Vouchers as of August 14, 2023.

Ayes – Pollard, Curtin, Hoey, Hood and Stevens

Carried

**OLD BUSINESS**

**Adopt Local Law 1-2023**

**TOWN BOARD RESOLUTION**

**ENACTING LOCAL LAW A-2023  
TOWN OF MARCELLUS**

At a regular meeting of the Town Board of the Town of Marcellus, held at the Town Hall, 22 East Main Street, in said Town, County of Onondaga, State of New York, on August 16, 2023 at 6:30 P.M., there were:

<b>PRESENT:</b>	Karen Pollard	Town Supervisor
	Jamie Curtin	Councilor
	Gabe Hood	Councilor
	Terry Hoey	Councilor
	Laurie Stevens	Councilor

**WHEREAS**, the following resolution was offered by Supervisor Pollard, who moved its adoption, seconded by Councilor Curtin, to wit:

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. A-2023, “ A Local Law Amending Chapter 212 of the Code of the Town of Marcellus Enacting A Property Tax Exemption For Volunteer Firefighters and Volunteer Ambulance Workers Pursuant to Real Property Tax Law §466-A, “ was presented and introduced at a regular meeting of the Town Board of the Town of Marcellus held on June 21, 2023; and

**WHEREAS**, a public hearing was held on such proposed local law on July 19, 2023, by the Town Board of the Town of Marcellus and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Marcellus in its final form in the manner required by Section 20 of the Municipal Home Rule Law of the State of New York; and

**WHEREAS**, on June 21, 2023, the Town Board declared itself lead agency and determined that the enactment of proposed Local Law No. A-2023 is an Unlisted Action and issued a negative declaration thus concluding environmental review under State Environmental Quality Review Act; and

**WHEREAS**, it is in the public interest to enact said proposed Local Law No. A-2023.

**NOW, THEREFORE**, it is

**RESOLVED** that the Town Board of the Town of Marcellus, Onondaga County, New York, does hereby enact Proposed Local Law No. A-2023 as Local Law No. 1-2023 as follows:

**TOWN OF MARCELLUS  
LOCAL LAW NO. 1 OF 2023**

**A LOCAL LAW AMENDING CHAPTER 212 OF THE CODE OF THE TOWN OF MARCELLUS  
ENACTING A PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND VOLUNTEER  
AMBULANCE WORKERS PURSUANT TO REAL PROPERTY TAX LAW § 466-A.**

Be it enacted by the Town of Marcellus Town Board, as follows:

**SECTION 1.**

So that a new Article VIII of Chapter 212 of the Code of the Town of Marcellus, titled "Volunteer Firefighters and Ambulance Workers Exemption," is hereby enacted pursuant to Real Property Tax Law Section 466-a, which shall read in its entirety as follows:

"§ 212-24 Legislative Intent.

It is the intent of the Town Board of the Town of Marcellus to provide a real property tax exemption to qualifying volunteer firefighters and volunteer ambulance workers as set forth in Real Property Tax Law § 466-a.

§ 212-25 Authority.

Real Property Tax Law § 466-a authorizes the Town Board to adopt a local law providing a real property tax exemption of up to ten percent of the assessed value of real property owned by the qualifying volunteer firefighters and ambulance workers.

§ 212-26 Grant of exemption.

An exemption of 10% of assessed value of property owned by an enrolled member as set forth below, or such enrolled member and their spouse, is hereby granted from taxation with respect to the real property taxes of the Town of Marcellus as long as eligibility requirements are met.

§ 212-27 Eligibility requirements.

Such exemption shall be granted to an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service provided that:

- A. The property is owned by the volunteer firefighter or volunteer ambulance worker;
- B. The property is the primary residence of the volunteer firefighter or volunteer ambulance worker;
- C. The property is used exclusively for residential purposes;

- D. The volunteer firefighter or volunteer ambulance worker resides in the Town of Marcellus and the Town of Marcellus is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service;
- E. The volunteer firefighter or volunteer ambulance worker is certified by the authority having jurisdiction as an enrolled member of such an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service; and
- F. The volunteer firefighter or volunteer ambulance worker meets the minimum service requirement established by the Town of Marcellus, which is hereby established as three (3) years.

§ 212-28 Application.

A volunteer firefighter or volunteer ambulance worker must annually, on or before the applicable taxable status date, file an application for such property tax exemption with the assessor responsible for preparing the assessment roll for the Town of Marcellus, on a form as prescribed by the New York State Commissioner of Taxation and Finance. The Town of Marcellus must maintain written guidelines, available upon request, as to the requirements of an enrolled volunteer member relating to this exemption.

§ 212-29 Certification.

The Town of Marcellus Town Board must annually file with The Town Assessor, prior to the applicable taxable status date, a list of the active volunteer members who are certified to meet the minimum service requirements. Such list must provide, as of the applicable taxable status date, the number of years of service served by each such enrolled member and such enrolled member's address of residence.

§ 212-30 No diminution of benefits.

An applicant who is receiving any benefit pursuant to Article 4 of the Real Property Tax Law as of the effective date of this Article shall not have any of those benefits diminished because of this Article.

§ 212-31 Grant of lifetime exemption.

Any eligible enrolled member who accrues more than 20 years of active volunteer service (as certified by the authority having jurisdiction) shall be granted the 10% exemption as

authorized by this Article for the remainder of his or her life as long as his or her primary residence is located within the Town of Marcellus.

§ 212-32 Un-remarried spouse of enrolled member killed in the line of duty.

The un-remarried surviving spouse of a deceased enrolled member killed in the line of duty, as certified by the authority having jurisdiction, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an enrolled member for at least five years and had been receiving the exemption at the time of his or her death.

§ 212-33 Un-remarried spouse of deceased enrolled member.

The un-remarried surviving spouse of a deceased enrolled member, as certified by the authority having jurisdiction, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an enrolled member for at least 20 years and the deceased volunteer and un-remarried spouse had been receiving the exemption at the time of his or her death.”

**SECTION 2 Validity and severability.**

If any clause, sentence, paragraph, section, or part of this Local Law is declared by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to said clause, sentence, paragraph, section or part of this Local Law.

**SECTION 3. Effective Date.**

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Municipal Home Rule Law Section 27.

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

<b>VOTE:</b>	Karen Pollard	Supervisor	Yes
	Jamie Curtin	Councilor	Yes
	Gabe Hood	Councilor	Yes
	Terry Hoey	Councilor	Yes
	Laurie Stevens	Councilor	Yes

The foregoing resolution was thereupon declared duly adopted.

**DATED; August 16, 2023**

## **NEW BUSINESS**

**Agreement with BMSI:** John Houser, Codes Officer, received an Order Document from gWorks (formally BMSI – the software that is used in the Codes Office and the Planning/Zoning Office). Jim Gascon, Town Attorney, made mention that we do not have the Terms and Conditions for this. Councilor Stevens made a motion seconded by Councilor Curtin authorizing Supervisor Pollard to sign this agreement with the condition that the Town Attorney receives and review the Terms and Conditions for this contract.

Ayes – Pollard, Curtin, Hoey, Hood and Stevens

Carried

**Marcellus Fire Department – Grease Trap:** Here are the three proposals that were received to replace the grease trap at the Fire Department:

Holdbrook's	\$4,910.00
Binghamton Precast	\$5,440.00
Jefferson	\$5,440.00

Councilor Hood is very much involved with working with the Fire Department on this issue. Councilor Stevens made a motion seconded by Councilor Hoey to approve Holdbrook's for the grease trap at the Fire Department. There was some discussion about what the Town would pay for and what the Fire Department can do to help cut the costs. The Fire Department members and volunteers can start cleaning out the Kitchen at the Fire Department. Supervisor Pollard asked that the Fire Department keep the Board in the loop on the progress.

Ayes – Pollard, Curtin, Hoey, Hood and Stevens

Carried

**Receive Tentative Budget:** The Tentative Budget was passed out to the Board Members. Supervisor Pollard drafted up a synopsis of what each packet from Lori Petrocci meant. If any Board members have any questions before the August 30, 2023 Budget Meeting, they should contact Lori Petrocci, Bookkeeper.

**End of Blue Bin:** Supervisor Pollard received an email stating that the Blue Bins will no longer be used. OCRRA is going to have the carts on wheels with lids to hold recyclables. Also in the email was information about if the Town ever wanted to start a Trash District. The trash haulers that are licensed in Marcellus are all aware of the larger carts on wheels with lids.

## **DISCUSSION AGENDA**

Councilor Curtin asked what is going on with the Comprehensive Plan. At the last meeting, Supervisor Pollard stated that they went through (page by page) with what they have so far. The company will schedule a meeting for the Town Residents to come and ask questions. Supervisor Pollard reminded everyone that the Town does have a \$50,000 grant to help recoup some of the costs for the Comprehensive Plan.

Supervisor Pollard stated that there would be a short meeting with the Town Attorney at the conclusion of the Town Board Meeting.

**Adjournment:** Councilor Stevens made a motion seconded by Councilor Curtin to adjourn the Workshop Meeting at 7:10 pm.

Ayes – Pollard, Curtin, Hoey, Hood and Stevens

Carried

**Respectfully Submitted,**

Sandy Taylor  
Town Clerk