

TOWN OF MARCELLUS
BOARD MEETING
Wednesday, April 12, 2023
6:30 PM

Call to Order

Salute to Flag

1. Accept Minutes
2. Approve Monthly Activity

OLD BUSINESS

- a. After the Ball Request
- b. Internal Audit – Gabe Hood

NEW BUSINESS

- a. Fund Transfer – Park
- b. Jeff Lowe – Assessor
- c. Karen Cotter – Retirement
- d. Liquor License Extension for Golf Course
- e. Amend PUD Resolution
- f. Escrow Money for PUD Project

DEPARTMENT REPORTS

- a. Codes
- b. Highway
- c. Parks/Rec
- d. Town Clerk

DISCUSSION AGENDA

- A. Safety training

ADJOURNMENT

Future Meeting Dates:

Workshop Meeting – Wednesday, April 26, 2023 – 6:30 pm – Town Hall
Planning/Zoning Meeting – Monday, May 1, 2023 – 6:30 pm Town Hall
Town Board Meeting - Wednesday, May 3, 2023 - 6:30 pm Town Hall

MARCELLUS TOWN BOARD

REGULAR MEETING

Wednesday, March 1, 2023

6:30 PM

A Meeting of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, March 1, 2023, in the Town Hall, 22 East Main Street, Marcellus, New York.

Present:	Jamie Curtin	Councilor
	Terry Hoey	Councilor
	Gabe Hood	Councilor
	Laurie Stevens	Councilor

Absent:	Karen R. Pollard	Supervisor
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Also present: Don MacLachlan, Highway Superintendent; Mike Ossit, Deputy Highway Superintendent; Phil Coccia, Recreation Director; Karen Cotter, Jim Gascon, Town Attorney; Jamie Perry, Eric Trendowski, Mark Delasin, Fire Department; Bill Southern, Gary and Linda Wilcox, Lindsay Kent, Lilly Schultz, Kolton Finarty, Scott Hall, Rosemary Tozzi, Deputy Town Clerk and Sandy Taylor, Town Clerk.

Councilor Hoey made a motion seconded by Councilor Curtin to appoint Councilor Stevens to run the meeting as Supervisor Pollard is absent.

Ayes – Curtin, Hoey, Hood and Stevens

Carried

Waive the Reading and Accept the Minutes: Councilor Curtin made a motion seconded by Councilor Hoey to waive the reading and accept the Town Clerk's minutes from the February 1, 2023 Town Board Meeting and the February 15, 2023 Workshop Meeting.

Ayes – Curtin, Hoey, Hood and Stevens

Carried

Monthly Activity: The Abstract of Audited vouchers for March 1, 2023, was given to the Board Members as submitted by the Town Clerk. Abstract #3 as of February 27, 2023. Claim #'s 154788-154818.

Expenses:

General Fund	\$13,135.41
Part Town General	1,419.00
Town Wide Highway	37,772.17
Water District	<u>15,687.00</u>
Total	\$68,013.58

Board Members were given the Activities Report as of February 24, 2023. Fiscal Year 2023.
Period 1

	<u>Revenue</u>	<u>Expense</u>
General Fund	(1,584,547.00)	\$ 77,246.65
Part Town General	(202,751.97)	20,652.31
Town Wide Highway	(95.28)	32,651.58
Part Town Highway	(259,597.16)	4,548.00
Capital Projects	(.01)	00.00
Fire District	(404,398.53)	16,182.00
Hydrant Fund	(3,001.21)	00.00
Ambulance Fund	(306,466.22)	1,616.25
Sewer District	(195,548.86)	00.00
Water District	(159,653.49)	40,940.00

Bills Paid Between Meetings: The following bills were paid on February 23, 2023

<u>Voucher Number</u>	<u>Vendor</u>	<u>Amount</u>
154772	Simply Prescription	\$ 675.12
154773	Simply Prescription	\$ 675.12
154774	Excellus BC/BS	\$ 418.22
154775	Excellus BC/BS	\$ 418.22
154776	Excellus BC/BS – dental	\$ 624.10
154777	Excellus BC/BS	\$ 16,643.65
154778	Excellus BC/BS	\$ 209.11
154779	Excellus BC/BS	\$ 209.11

Bank Balances:

The total of all the Bank Balances for January 2023: \$6,138,624.30

Councilor Stevens made a motion seconded by Councilor Hoey to Approve the Abstract of Audited Vouchers as of March 1, 2023, the Activities Report as of February 24, 2023, the bills paid between meetings on February 23, 2023, and the Bank Balances for January 2023.

Ayes – Curtin, Hoey, Hood and Stevens

Carried

NEW BUSINESS

Budget Adjustment – Highway: Don MacLachlan, Highway Superintendent, requested that the \$18,000 (which is in Fund Balance -DA.909) be moved to the 2023 Equipment Line (DA.5130.2000) for the purchase of an excavator. The money was received in 2022 from the Town of Spafford for a 1995 Wood Chipper.

Councilor Hood made a motion seconded by Councilor Curtin to approve the transfer of \$18,000 from DA.909 to DA.5130.2000.

Ayes – Curtin, Hoey, Hood and Stevens

Carried

Olde Home Days Request: The Marcellus Rotary Club is requesting the use of Marcellus Park for the annual Olde Home Days celebration to be held June 2nd, 3rd and 4th 2023. They are requesting the use of upper Marcellus Park (including the baseball diamond) be reserved from Monday, May 29, 2023 through Monday June 5, 2023 so the rides can be set up. They are also requesting that all of Marcellus Park (Upper section and Lower section) be reserved from Friday, June 2 through Sunday June 4, 2023 for the Olde Home Days Celebration.

Councilor Curtin made a motion seconded Councilor Hoey to approve the request from the Marcellus Rotary Club for the use of Marcellus Park from June 2 – 4, 2023.

Ayes – Curtin, Hoey, Hood and Stevens

Carried

Concert Agreements for Summer Concerts: Councilor Hoey made a motion seconded by Councilor Hood to approve the following concerts for the Concerts in the Park on Thursday evenings.

Ayes – Curtin, Hoey, Hood and Stevens

Carried

Concert Schedule – 2023

Band	Date	Amount
T. J. Sacco	June 22, 2023	\$600.00
The Drop Outs	June 29, 2023	\$600.00
Mood Swing	July 6, 2023	\$650.00
The Monterays	July 13, 2023	\$600.00
Joe Whiting	July 20, 2023	\$750.00
No Filter	July 27, 2023	\$600.00
The Horn Dogs	August 3, 2023	\$600.00
John Rogala and the Swamp Boys	August 10, 2023	\$600.00

Agreement with Auctions International: Councilor Hood made a motion seconded by Councilor Hoey authorizing Supervisor Pollard to sign the agreement with Auctions International. This will allow the Town to put items up for bid, and to bid on items that the Town may require. Jim Gascon, Town Attorney, stated that he reviewed the contract, and he approves it.

Ayes – Curtin, Hoey, Hood and Stevens

Carried

OCM BOCES Contract: Councilor Curtin made a motion seconded by Councilor Hood authorizing Supervisor Pollard to sign the contract with OCM BOCES. BOCES will provide the Town of Marcellus Health, Safety and Risk Management Services. Don MacLachlan, Highway

Superintendent, stated that the Highway Department uses their training for Hazardous Waste, Workplace Violence, Lock-out/Tag-out Training for Authorized Employees.

Ayes – Curtin, Hoey, Hood and Stevens

Carried

Pleasant Valley Road – Cleanup: John Houser, Codes Officer, submitted paperwork that the cleanup was done at 2595 Pleasant Valley Road. The cleanup was done by Cleanout Pros, Corp. at a cost of \$900.00. This cost will be put on the Property Owners Tax Bill. John Houser, Codes Officer, will address the tall grass violation in the Spring.

OLD BUSINESS - There was no Old Business to Report.

DEPARTMENT REPORTS

Codes: No one from the Codes Office was here to report.

Highway: Don MacLachlan, Highway Superintendent, stated that they are moving right along. Trucks are ready if we get snow.

Parks/Recreation: Phil Coccia, Recreation Director, stated that there is a Moon Light Walk this Saturday, March 4, 2023 at the Park. The Recreation Department set up three field trips during the February break for the kids. The new playground will possibly be set up in April depending on the weather.

Town Clerk: The Town Clerk handed in the monthly report for February. Things are slow in the office right now.

DISCUSSION AGENDA

Councilor Stevens asked if there were any other items from the Board or the Residents. Mark Delasin from the Fire Department handed Councilor Stevens their financials and reports. He stated that they have hired someone to take care of the financials in-house so the Town should be receiving the financials regularly. The reports will be in a new format with the new person doing the work. Mr. Delasin reported on the number of calls they went on, the assists they went to and the time to respond to calls. He also stated that they are working on Grants and increasing the staff at the Fire Department.

One concern that Mr. Delasin has, is the Workers Comp. Insurance. Councilor Curtin asked Mr. Delasin to send him an email with the concerns so that the Board can address them with Reagans Insurance.

ADJOURNMENT: Councilor Hood made a motion seconded by Councilor Hoey to adjourn the Town Board meeting at 7:00 pm.

Ayes- Curtin, Hoey, Hood and Stevens

Carried.

Respectfully Submitted,

Sandy Taylor
Town Clerk

**Marcellus Town Board
Workshop Meeting
Wednesday, March 15, 2023
6:30 PM**

A Workshop Meeting of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, March 15, 2023, in the Town Hall, 22 East Main Street, Marcellus, New York.

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

Absent: Gabe Hood Councilor

Also Present: Don MacLachlan, Highway Superintendent; Mike Ossit, Deputy Highway Superintendent; Phil Coccia, Recreation Director; John Houser, Codes Officer; Jim Gascon, Town Attorney; Jim Rossiter, Bill Southern, Gary & Linda Wilcox, Tim & Erica Leubner, Claudia Leubner, Mr. Zona from RZ Engineering; Mr. Blair, Attorney for Tim & Erica Leubner; Rosemary Tozzi, Deputy Town Clerk and Sandy Taylor, Town Clerk.

Supervisor Pollard stated that we are going to switch the agenda up a bit, and Tim's Pumpkin Patch will be first on the agenda. There were no objections.

Tim's Pumpkin Patch: Mr. Blair, Attorney for Tim and Erica Leubner (Tim's Pumpkin Patch), spoke about the Zone Change for 36 plus acres at 2901 Rose Hill Road. The applicants (Tim and Erica Leubner) would like to work with the Town and the Agricultural and Markets Department. Mrs. Leubner stated that she has meet with Chief McNally from the Marcellus Fire Department and the Fire Department is in full support of what they would like to do. Jim Gascon, Town Attorney, drafted up the following resolution for the parcel on Rose Hill Road.

**RESOLUTION OF THE TOWN BOARD OF THE
TOWN OF MARCELLUS REFERRING THE
PLANNED UNIT DEVELOPMENT APPLICATION
OF TIM'S PUMPKIN PATCH, LLC
TO THE TOWN OF MARCELLUS PLANNING BOARD**

Dated: March 15, 2023

Town Board member Councilor Stevens having made a motion for this resolution and Town Board member Councilor Curtin having seconded said Resolution, the following was put before the Town Board for its consideration.

WHEREAS, the authority for this Resolution is found in New York State Municipal Home Rule Law §10 and Section 235-15 of the Town of Marcellus Zoning Law; and

WHEREAS, the Town received an application for a Planned Unit Development (hereinafter "PUD") from Tim's Pumpkin Patch, LLC (hereinafter "Applicant") dated "February 2023" and

WHEREAS, Section 235-15(B)(1)(b)(1) requires the Town Board, upon receipt of said PUD application, to "establish the boundaries of the proposed PUD zone and set limits on the nature and range of its uses, geometric and site controls and overall project planning;" and

WHEREAS, the Town Board has reviewed the said application, and upon due deliberation, it is hereby

RESOLVED, the boundaries of the proposed PUD shall consist of the 36.80+/- acre parcel of land owned by Tim and Erica Leubner located on Rose Hill Road in the Town of Marcellus, and as more completely described by a survey of said Lands by Denkenberger Surveying, P.C. dated February 12, 2002, and as more fully described in its entirety by the documents contained in Exhibit A to the application, and it is further

RESOLVED, the said PUD's proposed activities, development and purpose are for the growing, marketing and sales of pumpkins and other agricultural products, as well as the sales and marketing of other goods and services associated therewith, and it is further

RESOLVED, the PUD's proposed activities and development shall also include the growth, sales and marketing of hops and other related agricultural products for the production of beer, and it is further

RESOLVED, the PUD's further proposed purposes, activities and development will be for those auxiliary activities permitted by the New York State Agriculture and Markets laws as more fully stated in said laws, along with the requirements and limitations contained therein, and it is further

RESOLVED, the activities and development of the proposed PUD shall be subject to the rules and regulations and limitations set forth in Section 235-15 of the Town of Marcellus Zoning Law, including the approval, denial, or approval with conditions, by the Town of said proposed PUD, and it is further

RESOLVED, the said proposed PUD shall be subject to the terms and conditions pertaining to the health, safety and welfare of the public and Town residents, as may be established by the Town, including but not limited to conditions regarding noise limitations, hours of operation, limiting the size and number of events that can be held, directing the Applicant to comply with Agriculture and Markets Department policies regarding "farm operations," and requiring and permitting the Town to monitor the Applicant's activities on said parcel, together with such other requirements as may be set forth by the Town, and it is further

RESOLVED, this Resolution may be amended by the Town Board prior to final action on this PUD application, and it is further

RESOLVED, this PUD application is hereby referred to the Town Planning Board for its deliberations.

Said Resolution Was put to the following vote:

Supervisor	Karen Pollard	Yes
Councilor	Laurie Stevens	Yes
Councilor	Terry Hoey	Yes
Councilor	Jamie Curtin	Yes
Councilor	Gabe Hood	Absent

Said Resolution was hereby adopted.

Dated: March 15, 2023

Abstract of Audited Vouchers: The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #3 as of March 13, 2023. Claim #'s 154827-154841, 154843-154887.

	<u>Expenses</u>
General Fund	\$ 7,861.59
Part Town General Fund	230.28
Townwide Highway	\$ 7,177.44
Part Town Highway	\$ 2,247.00
Hydrant Fund	\$ 1,594.61
Water District	<u>\$11,250.57</u>
Total	\$30,361.49

Councilor Stevens made a motion seconded by Councilor Hoey to approve the Abstract of Audited Vouchers from March 13, 2023. Claim #'s 154827-154841, 154843-154887.

Ayes – Pollard, Curtin, Hoey, Stevens

Carried

Handicapped Doors: The lowest bid for the Handicapped Doors was BRJ at a quote of \$6262.20. After some discussion, it was revealed that quote didn't include some electrical work. The Town is going to appoint CNY Lock at a quote of \$7,739.00 (including electrical work) to install the Handicapped Accessible Doors at the Town Hall.

Covid Waiver: During the Covid Pandemic, the Town of Marcellus added a Covid waiver to the Pavilion Permits. The waiver read as follows: "The Town of Marcellus is following NYS and Onondaga County mandates associated with Covid-19. Masks must be worn at all times in all town buildings and at the park, when you can't socially distance. We encourage you to social distance and maintain 6 feet of space while in our part and town buildings. If you have a fever or feel sick, please stay home. We continue to disinfect high touch surfaces in the town hall and at the park." Due to restrictions being lifted, Councilor Stevens made a motion seconded by Councilor Curtin to remove the Covid-19 Waiver from the Pavilion Permits.

Ayes – Pollard, Curtin, Hoey, Stevens

Carried

Fire Department Reports: Supervisor Pollard asked the Board if they were satisfied with the reports from the Fire Department that were handed to the Board at the last meeting. The Board Members stated that they were okay with the reports that were handed to them. Councilor Curtin is going to reach out to the Fire Department and request the February monthly report. At the last meeting, Mark Delasin, from the Fire Department, did say that they hired someone to do the financials in-house and that the Town should be receiving them in a timelier manner.

After the Ball Request: The Town received a request from the “After the Ball” Chairperson for the Party after the Senior Ball for donations. In the past, the Town has paid for the DJ at the party to keep the kids safe. There was some discussion as to whether the Town could just donate to the cause or pay for something specific: such as rental or the DJ. Phil Coccia, Recreation Director will check into what they need, and it will be on the agenda for the April 12, 2023, meeting.

Community Development Grant: A grant was awarded from the 2023 Onondaga County Main Street Program through the County of Onondaga, Community Development Division. The Moondance Restaurant on Cherry Valley Turnpike is the recipient of the Grant. The Town will act as a go between from the owners of the Moondance and Onondaga County. The applicant will receive \$29,625 with them promising to pay \$9,875 for a total of \$39,500.

Internal Audits:

Town Clerk: Councilor Stevens audited the Town Clerk’s books. She stated that they are all set. Everything is up to date.

Court Clerk: Councilor Curtin audited the Court Clerk’s Books. He stated that everything is up to date and well organized. Councilor Curtin made a motion seconded by Councilor Stevens to approve the Court Clerk’s records.

Ayes – Pollard, Curtin, Hoey and Stevens

Carried

Councilor Hood was not here to report on the Parks and Recreation Department’s Audit.

OCRRA Earth Day Cleanup: A flyer was sent to the Town to advertise if any residents want to get together and form a group for the cleanup on Earth Day. The forms will be at the Town Hall.

Adjournment: Councilor Curtin made a motion seconded by Councilor Stevens to adjourn the Town Board Meeting at 7:45 PM.

Ayes – Pollard, Curtin, Hoey and Stevens

Carried

Respectfully Submitted,

Sandy Taylor
Town Clerk

A MESSAGE FROM Parents of the Class of 2023:

Marcellus High School

Class of 2023

After the Ball Party

RECEIVED

MAR 03 2023

Town of Marcellus

March 1, 2023

Dear Friend,

After a long hiatus, the parents of the graduating seniors of Marcellus High School are trying to re-establish the tradition and helping to organize the After-the-Ball-Party for this year's Senior Ball, and we are writing to ask for your support.

The After-the-Ball Party, which is sponsored by the After the Ball committee made up of parents of current students and past students in conjunction with SADD (Students against Destructive Decisions), is a drug free and alcohol free alternative for students on their Ball Night. This year, the Ball is on May 20, 2023. It has become an annual event, with almost 85% attendance for the 5 years before Covid. One of our goals for 2023 is to reach 100%. However, our most important goal remains to support our children in their determination to have a great time, all night long, without alcohol or drugs.

Contributions from individuals, businesses, corporations, community groups, and parents are the reasons for the success of this annual event and help to make the party so successful. We are asking that you consider making a contribution to this worthy cause, helping us to convince the Class of 2023 that the community at large is supporting their efforts. We would like to determine the extent of the fundraising by April 15, 2023 and would appreciate your timely response.

Contributions may be sent to the address below. Checks may be made out to Marcellus High School. Please add Attention HS Parent Team in the memo section of the check.

Thank you for your support.

Sincerely,



Gerri A. Stearns
Grants Committee Chairperson

Please mail contributions to:
Gerri Stearns
After-the-Ball Chairperson
Marcellus Senior High School
1 Mustang Hill
Marcellus, NY 13108

INTEROFFICE MEMORANDUM

TO: THE MARCELLUS TOWN BOARD
FROM: PHIL COCCIA
SUBJECT: FUND TRANSFER
DATE: 3/22/23
CC: LORI PETROCCI

I would like approval to transfer funds not to exceed \$80,000 from the Park Capital Reserve Fund (A.878) to Special Facilities (A.7110.2100) for the construction of a Playground.

TO: TOWN SUPERVISOR, KAREN POLLARD AND TOWN BOARD MEMBERS

FROM: KAREN COTTER

RE: RETIREMENT

DATE: APRIL 3, 2023

On April 27, 2023, please be advised that I will retire from my position as Secretary to Town of Marcellus Planning and Zoning Board of Appeals as well as from Clerk to the Codes.

Please feel free to contact me with any questions.

Thank you,

A handwritten signature in cursive script that reads "Karen Cotter".

Karen Cotter

**RESOLUTION OF THE ZONING BOARD OF APPEALS
FOR THE TOWN OF MARCELLUS
EXPANDING THE SPECIAL USE PERMIT OF
SUNSET RIDGE GOLF COURSE**

Dated: April 3, 2023

Board Member Jerry Wickett made the following motion, which was seconded by Board Member Scott Stearns regarding the application for an expansion of the Special Use Permit of the Sunset Ridge Golf Course located at 2814 West Seneca Turnpike:

WHEREAS, the Sunset Ridge Golf Course is located in a R-1 District and enjoys the benefit of a Special Use Permit dated May 5, 1997; and

WHEREAS, the Special Use Permit limited certain activities of the golf course, including but not limited to, limiting the hours of operation of the facility and the dates that the facility may operate during the calendar year, as well as limiting the recreational use of the facility to outdoor golfing; and

WHEREAS, the owners of the golf course have applied to the Town for expansion of the facility to permit year-round activities of the facility consisting of both outdoor golf and indoor simulated golf; and

WHEREAS, the applicants have also requested an expansion of the restaurant facility to also be open year-round to provide food to the residents of the community and to provide banquet facilities for weddings, funerals and other gatherings; and

WHEREAS, the applicants have also requested a modification to the Special Use Permit to expand the hours of operation of the restaurant; and

WHEREAS, a Public Hearing was duly convened and conducted regarding said application; and

WHEREAS, several members of the public spoke in favor of the way the facility is currently operated as well as the requested expansion; and

WHEREAS, the Town Code Officer reported no complaints have been made about the facility; and

UPON DUE DELIBERATION by the Zoning Board of Appeals, it is hereby

RESOLVED, the application for expansion of the Special Use Permit is hereby granted to include the following:

A. The facility is hereby permitted to operate year-round provided that either outdoor golf or indoor simulated golf is provided to patrons.

B. The facility may operate a restaurant and banquet facility provided that either outdoor golf or indoor simulated golf continue to be provided to patrons, while the restaurant and banquet facilities are in operation.

C. The hours of operation of the restaurant and banquet facilities are limited to 9:00 a.m. to 10:00 p.m. during outdoor golf season, and 9:00 a.m. to 9:00 p.m. during the winter months; and it is further

RESOLVED, the expansion of the special permit as listed in A-C are conditioned on the owners obtaining the most current applicable site plan and the drainage and sprinkling plans which are a part of the special permit and bringing the golf course into compliance in a reasonable agreed upon time or request modifications if desired. Outdoor music or bands are still not approved. All other special permit requirements and conditions remain in effect.

Wherein the matter of this Resolution was passed upon the following vote:

Chairman	Gerard E. Wickett	aye
Member	Chris Christensen	aye
Member	Ron Schneider	aye
Member	Kathy Carroll	aye
Member	Scott S. Stearns	aye

Said Resolution was duly adopted.

Dated: April 3, 2023

Sandy Taylor

From: Mary Beth Lollis-Barnell <mlbarnell@nycourts.gov>
Sent: Wednesday, April 5, 2023 3:13 PM
To: Sandy Taylor
Subject: Situational Awareness

Hi Sandy,

Please put this on the agenda for this coming board meeting.

The Court will be holding a in-service on Wednesday April 26, 2023 at 10:30 A.M. The topic "Situational Awareness / Active Shooter" presented by The Chief of Marcellus Police Department, Bernard Podsiedlik, and Officers of the Marcellus Police Department. The presentation is open to all Town Employee's, the Village Employee's, and Members of the Board.

All are encouraged to attend.

*Mary Beth Lollis-Barnell
Town of Marcellus Justice Court
Clerk*