

Marcellus Town Board  
Workshop Meeting  
Wednesday, October 16, 2024  
6:30 PM

A Workshop Meeting of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, October 16, 2024, in the Town Hall, 22 East Main Street, Marcellus, New York.

Present: Laurie Stevens	Supervisor
Jeff Berwald	Councilor
Percy Clarke	Councilor
Terry Hoey	Councilor
Absent: Gabe Hood	Councilor

Also Present: Mike Ossit, Highway Superintendent; Phil Coccia, Recreation Director; Jim Gascon, Town Attorney; Jim Rossiter, Bill Southern, Gary and Linda Wilcox, Steven Bolewski, Dahlia Schultz, Dave Card, Fire Department; Suzanne Tobin, Deputy Town Clerk; Rosemary Tozzi, Town Clerk

**Public Hearing- Tax Levy Override:** Supervisor Stevens stated that the Town budget is currently under the Tax Levy. The budget has not been finalized; out of precaution the Town will pass the Tax Levy Override Law. There were no questions, comments or concerns from the public or Town Board. Councilor Hoey made a motion seconded by Councilor Berwald to close the Public Hearing at 6:32pm

Ayes –Berwald, Clarke, Hoey and Stevens

Carried

**Abstract of Audited Vouchers:** The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #10 as of October 15, 2024. Claim #'s 157263-157265.

Expense

General Fund	\$1,165.00
Part Town Highway	37,504.40
Total	\$38,669.40

The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #10 as of October 11, 2024. Claim # 157224-157245, 157247-157262.

Expense

General Fund	\$58,198.73
Part Town General	365.58
Townwide Highway	309.08

Part Town Highway	8,484.20
Total	\$67,357.59

The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #10 as of October 16, 2024. Claim # 157275.

	Expense
General Fund	\$16.00
Total	\$16.00

Councilor Berwald made a motion seconded by Councilor Clarke to approve the Abstract of Audited Vouchers and pay the bills as of October 16, 2024.

Ayes –Berwald, Clarke, Hoey and Stevens

Carried

**Old Business:**

**Solar Law:** This topic has been tabled. Jim Gascon, Town Attorney, is waiting for two outstanding concerns from the Planning and Zoning Board.

**Tim’s Pumpkin Patch PUD:** This topic has been tabled for discussion.

**Comprehensive Plan- SEQR:** This topic has been tabled. The Town did receive the SEQR, it was incomplete. Jim Gascon, Town Attorney, is in contact with the firm to get the document completed and submitted to the Town Board.

**Tax Levy Override:**

**TOWN OF MARCELLUS**

**TOWN BOARD RESOLUTION**

**October 16, 2024**

**TOWN OF MARCELLUS LOCAL LAW NO. B OF 2024**

(“A Local Law Overriding the Tax Levy Limit Established in General Municipal Law §3-c in the Town of Marcellus”)

The following resolution was offered by Councilor Hoey, who moved its adoption, seconded by Councilor Clarke, to wit:

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. B-2024, “A Local Law Overriding the Tax Levy Limit Established in General Municipal Law §3-c in the Town of Marcellus,” was presented and introduced at a regular meeting of the Town Board of the Town of Marcellus held on September 4, 2024; and

**WHEREAS**, a public hearing was held on such proposed local law on October 16, 2024, 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**, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law of New York (SEQRA), requires that as early as possible in the consideration of a proposed action, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

**WHEREAS**, on September 4, 2024, the Town Board declared itself lead agency and determined that the enactment of proposed Local Law No. B-2024 is an unlisted action and will have no significant effect on the environment, issuing 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. B-2024.

**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. B-2024 as Local Law No. 2-2024 as follows:

**“TOWN OF MARCELLUS**

**LOCAL LAW NO. 2 OF 2024**

**A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT ESTABLISHED  
IN GENERAL MUNICIPAL LAW §3-C IN THE TOWN OF MARCELLUS**

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

**Section 1. LEGISLATIVE INTENT**

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Marcellus, County of Onondaga pursuant to General Municipal Law §3-c, and to allow the Town of Marcellus to adopt a Town budget for (a) Town purposes; (b) fire protection districts; and (c) any other special or improvement district governed by the Town Board for the fiscal year 2025, that requires a real property tax levy in excess of the “tax levy limit” as defined by the General Municipal Law §3-c.

**Section 2. AUTHORITY**

This local law is adopted pursuant to Subdivision 5 of the General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the Town Board.

**Section 3. TAX LEVY LIMIT OVERRIDE**

The Town Board of the Town of Marcellus, County of Onondaga, is hereby authorized to adopt a budget for the fiscal year 2025 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

**Section 4. SEVERABILITY**

If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**Section 5. EFFECTIVE DATE**

This Local Law shall take effect upon filing with the Secretary of State.”

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>Laurie Stevens</b>	<b>Town Supervisor</b>	<b>Voted</b>	<b>Yes</b>
<b>Jeff Berwald</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Percy Clarke</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Terry Hoey</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

**DATED:           October 16, 2024**

**Sewer Contract with the Village:** This topic has been tabled. The Town Board and Council met with the Village to discuss the contract. The Town is waiting to hear if the Village agrees to the suggested changes.

**New Business:**

**Park Pavilion Fees:** The Parks and Recreation Department recommends that pavilion fees and surcharges remain the same in 2025. The Town Board agreed not to increase the fees.

**Marcellus Park prices for 2025:**

Annex and Grove- weekend \$145; weekday \$75

Creek Hollow- weekend \$165; weekday \$75

Playground- weekend \$85; weekday \$75

Stone Mill- weekend \$135, weekend \$75

Welcome Center- weekend \$150; weekday \$80

Tables (moved by staff)

6-15 tables \$30

15-25 tables \$55

**Marcellus Park Surcharge for Corporations that host a Company Picnic or Barbeque**

**Surge for large groups:** 50-100 people incurs a \$100 surcharge/fee

101-150 people incur a \$150 surcharge/fee

151-200 people incur a \$200 surcharge/fee

**This charge includes:** up to ten extra tables moved by park staff

extra trash cans with liners and blue recycle bins

setup of volleyball net and horseshoes

**Clean Energy Windmills:** The State is considering a large wind energy project named Maple Harvest. This project will consist of 24 to 27 industrial wind turbines and associated infrastructures in the Towns of LaFayette, Otisco and Tully. Damian Ulatowski, Clay Town Supervisor, is asking Marcellus to join other Towns and sign and pass a resolution in opposition to the Maple Harvest project.

Councilor Clarke made a motion seconded by Councilor Berwald to approve Supervisor Stevens to sign the resolution opposing the industrial wind project

Ayes –Berwald, Clarke, Hoey and Stevens

Carried

## **RESOLUTION OPPOSING INDUSTRIAL WIND PROJECTS**

**WHEREAS**, a large wind energy project named Maple Harvest, consisting of 24 to 27 industrial wind turbines and associated infrastructure, is being considered in the Towns of LaFayette, Otisco and Tully; and

**WHEREAS**, each individual turbine may be up to 680 feet tall and located on hills which are at least 700 feet higher in elevation than surrounding valleys; and

**WHEREAS**, erection of wind turbines such as proposed would violate many municipal zoning regulations; and

**WHEREAS**, while the undersigned municipalities recognize the potential benefits of renewable energy, the current permitting procedures under the Office of Renewable Energy Siting (ORES) supersede the ability of municipalities to regulate land use decisions and directly address potential harmful environmental, social and economic impacts of such a project; and

**WHEREAS**, similar projects may occur in any municipality in New York.

**NOW, BE IT RESOLVED**, on this 16th day of October 2024, the Towns noted below in the County of Onondaga, State of New York that:

1. The undersigned oppose the current ORES regulations that usurp the ability of local municipalities to regulate land use decisions in their communities, thereby effectively overriding Home Rule; and
2. We stand in solidarity with the Towns of Otisco, Tully and Lafayette in opposing the erection and operation of large commercial wind turbines in their communities, along with the associated large transmission lines necessary to connect the turbines to the electrical grid; and
3. We urge relevant county, state, and federal authorities to engage in transparent and collaborative discussions to once again allow municipalities, instead of the state Office of Renewable Energy Siting, to make land use decisions within their jurisdictions; and
4. This resolution shall take effect immediately.

Dated: October 16, 2024

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Town of Marcellus

**Set Date- Public Hearing for Budget:** The Public Hearing must be scheduled after the November 5, 2024, Election. The Town Board has set the Public Hearing for the budget for November 6, 2024, at 6:30pm located at Marcellus Town Hall, 22 East Main Street, Marcellus, NY.

Councilor Berwald made a motion seconded by Councilor Hoey to set the budget Public Hearing for November 6, 2024, at 6:30pm.

Ayes –Berwald, Clarke, Hoey and Stevens

Carried

**Fire Department Financials:** Dave Card submitted financials to the Town Board: the financial statement expenses for the period January 1, 2024, through September 30, 2024, and a breakdown of expenses for the months of July, August and September. There were no questions or concerns from the Town Board regarding the financials.

**Discussion Agenda:**

**Councilor Hoey:** He took fifteen students on a tour of the Village Wastewater Treatment Plant. Everyone enjoyed the tour.

**Supervisor Stevens:** M.A.V.E.S. submitted their financials for the period of May 1-August 31, 2024.

**Fire Department:** The Fire Department is hosting an open house on Saturday, October 19<sup>th</sup> from 4:00pm-8:00pm.

**Parks and Recreation:** The first Marcellus Cross Country Invitational will be held at Marcellus Park on Saturday 19, 2024, twenty-seven schools will be participating. Jane Attley assisted in a grant to get additional money from the State for recreation. The Welcome Center Grant check was received by the Town. Jane and Mark are currently working on a grant for flowers and trees at the park.

**Highway Department:** Mike Ossit confirmed that the Town Board had previously approved the Highway Department to clean the Fire Department catch basin for a safety clean.

Supervisor Stevens requested a meeting with Council.

**Adjournment:** Councilor Berwald made a motion seconded by Councilor Hoey to adjourn the Workshop Meeting at 6:55 pm.

Ayes –Berwald, Clarke, Hoey and Stevens

Carried

Respectfully submitted,

Rosemary Tozzi  
Town Clerk