

Marcellus Town Board
Workshop Meeting
Wednesday, May 15, 2024
6:30 PM

A Workshop Meeting of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, May 15, 2024, in the Town Hall, 22 East Main Street, Marcellus, New York.

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

Also Present: Mike Ossit, Highway Superintendent; Jim Rossiter, Phil Coccia, Recreation Director; John Houser, Code Enforcement; Jim Gascon, Town Attorney; Gary and Linda Wilcox, Bill Southern, Scott Stearns, John Pawlewicz, Dave Card, Suzanne Tobin, Deputy Town Clerk.

Abstract of Audited Vouchers: The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #5 as of May 9, 2024. Claim #'s 156588-156617.

Expense	
General Fund	\$23,636.94
Part Town General	28.09
Townwide Highway	5,038.16
Part Town Highway	1,255.50
Fire District	413.00
Total	\$30,371.69

The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #5 as of May 15, 2024. Claim #'s 156627-156632.

Expense	
General Fund	\$1,632.12
Trust and Agency	1,131.01
Total	\$2,763.25

Councilor Berwald made a motion seconded by Councilor Hood to approve the Abstract of Audited Vouchers and pay the bills as of May 15, 2024.

Ayes –Berwald, Hoey, Hood, Clarke and Stevens

Carried

OLD BUSINESS

Sign Law Modification: After a brief introduction by attorney Jim Gascon and responding comments from Board members, the formal process of revising Local Law A-2024 began. Attorney Gascon read aloud the entire Short Form Environmental Assessment Form and the “Town Board Resolution Introducing Local Law A-2024”.

TOWN BOARD RESOLUTION

INTRODUCING LOCAL LAW A-2024

(A local Law Amending Chapter 235-26 et al. (Zoning”)

of the Code of the Town of Marcellus

to Amend Certain Provisions Pertaining to Signs)

TOWN OF MARCELLUS

May 15. 2024

At a workshop 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 May 15, 2024, at 6:30 PM, there were:

PRESENT:	Laurie Stevens	Town Supervisor
	Jeff Berwald	Councilor
	Percy Clarke	Councilor
	Gabe Hood	Councilor
	Terry Hoey	Councilor

WHEREAS, Councilor Hoey introduced Local Law No. A-2024, amending the Town of Marcellus “sign law”, and made the following motion, which was seconded by Councilor Berwald 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, requires that as early as possible an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Marcellus, such that there are no other involved

agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the adoption of said Local Law is an unlisted action for purposes of environmental review under SEQRA; and

WHEREAS, the Town Board had determined that a short environmental assessment form (EAF) shall be required in connection with this matter; and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N. Y. C. R. R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED that the Town Board has determined this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQRA; and it is further

RESOLVED AND DETERMINED that the Town Board conduct a public hearing as to the enactment of proposed Local Law No. A-2024 at the Town Hall located at 22 East Main Street, in the Town of Marcellus on June 26, 2024 at 6:30 PM, or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard; and it is further

RESOLVED AND DETERMINED that notice of said public hearing shall be provided at least five (5) days prior to the date of said public hearing in a newspaper of general circulation within the Town of Marcellus and to any affected municipalities described above.

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

VOTE:	Laurie Stevens	Town Supervisor	Yes
	Jeff Berwald	Councilor	Yes
	Percy Clarke	Councilor	Yes
	Gabe Hood	Councilor	Yes
	Terry Hoey	Councilor	Yes

The foregoing resolution was thereupon declared duly adopted.

Dated: May 15, 2024

Food Sense Program – Food Bank of CNY: Supervisor Stevens shared that the Fire Department spoke with the representative of the Food Sense program to investigate whether or not the Fire Department Building would be a viable location for conducting the once-a-month service. Concerns were expressed regarding the need to have Fire Department personnel present to supervise the operation, enable access to the building etc. Another concern arose when Mr. Card asked the representative about providing the Town with appropriate insurance coverage. The Food Sense representative was not sure if the program had or could provide insurance. Rose was tasked with reaching out to the Food Sense representative and to offer them the use of the side parking lot at the park if they can provide us with a certificate of insurance citing the Town of Marcellus as an additional insured as an option instead of using the Fire Department facility.

NEW BUSINESS

Permissive Referendum – Highway Plow Truck: Mike Ossit, Highway Superintendent; introduced the subject with a few comments. Attorney Gascon then read aloud the prepared “Resolution Subject to Permissive Referendum” regarding the proposed purchase of a 2025 Freightliner M2 and Tenco Plow and Body Package in order to move ahead with the process of the acquisition after which the Board formally approved the following resolution:

TOWN BOARD RESOLUTION

TOWN OF MARCELLUS

SUBJECT TO PERMISSIVE REFERENDUM

At a Workshop 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 and State of New York on May 15, 2024, at 6:30 P.M., there were:

PRESENT:	Laurie Stevens	Town Supervisor
	Jeff Berwald	Councilor
	Percy Clarke	Councilor
	Gabe Hood	Councilor
	Terry Hoey	Councilor

WHEREAS, the Town of Marcellus Highway Department has advised the Town Board of the Town of Marcellus of the Department’s continuing need to repair, replace and update its fleet of equipment; and

WHEREAS, the Town of Marcellus Highway Department desires to acquire a new 2025 Freightliner M2 with new Tenco plow and body package; and

WHEREAS, available through Tenco Industries Inc., is a 2025 Freightliner M2 with new Tenco plow and body package at a contract price not to exceed Two Hundred Forty-Seven Thousand Two Hundred Three Dollars and 00/100 Cents (\$247,203.00); and

WHEREAS, this is a State and/or County approved price by way of the Bidding Process; and

WHEREAS, pursuant to Section 6-C of the General Municipal Law, the Town Board of the Town of Marcellus has created, by means of a resolution, a highway equipment reserve fund known as "Equipment" for purposes of funding the purchase of equipment in the Town of Marcellus; and

WHEREAS, such fund has been maintained in accordance with Section 10 of the General Municipal Law; and

WHEREAS, the Town Board of the Town of Marcellus is desirous of expending monies from the equipment fund of the Town of Marcellus and for the purchase of the aforementioned 2025 Freightliner M2 with new Tenco plow and body package for use by the Town of Marcellus Highway Department in the physical betterment and improvement of the Town; and

WHEREAS, said truck shall be purchased from Tenco Industries Inc., at a purchase price of Two Hundred Forty-Seven Thousand Two Hundred Three Dollars and 00/100 Cents (\$247,203.00) using monies from the equipment fund.

NOW THEREFORE, BE IT RESOLVED, the Town of Marcellus Town Supervisor is hereby authorized to enter into an agreement to acquire a 2025 Freightliner M2 with new Tenco plow and body package, at a price not to exceed Two Hundred Forty-Seven Thousand Two Hundred Three Dollars and 00/100 Cents (\$247,203.00), from Tenco Industries Inc; and

BE IT FURTHER RESOLVED that the sum of Two Hundred Forty-Seven Thousand Two Hundred Three Dollars and 00/100 Cents (\$247,203.00), from the equipment fund, be designated for expenditure in furtherance of the acquisition of a 2025 Freightliner M2 with new Tenco plow and body package; and

BE IT FURTHER RESOLVED that this resolution is subject to permissive referendum as provided in Article 7 of the Town Law; and

BE IT FURTHER RESOLVED, that pursuant to Section 90 of the Town Law, that within ten (10) days from the date of this resolution the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the resolution, shall contain an abstract of said resolution concisely setting forth the purpose and effect thereof, shall specify that this resolution was adopted subject to a permissive referendum, and shall publish such notice in the "Marcellus Observer," a newspaper published in Onondaga County having general circulation in the Town of Marcellus, and in addition thereto that the Town Clerk shall post or cause to be posted on the sign board of the Town of Marcellus, a copy of such notice within ten (10) days after the date of adoption of this resolution.

Said resolution was offered by Councilor Hood and seconded by Councilor Berwald.

VOTE:	Laurie Stevens	Aye
	Jeff Berwald	Aye
	Percy Clarke	Aye
	Gabe Hood	Aye

Resolution duly adopted.

Dated: May 15, 2024

Address Numbers on Town Hall: Mike Ossit, Highway Superintendent, stated that Lori Petrocci brought up the fact that the Town Hall currently has no address numbers affixed to the building. It was mentioned that 6" numbers would comply with code and decided that placing numbers on the entry doors at the front of the building would be sufficient to resolve that issue. John Houser will get the exact commercial code requirements to Mr. Ossit who will then take care of it.

B&C Storage Business Sign: John House and the Board spoke about the sign that has been proposed for a new sign for B&C Storage. John believes that it fully complies with the new law. No specific action was taken at this time.

Discussion Agenda:

Fire Department

Mr. Card stated that the kitchen was nearly done, and the announcement was well received.

Mr. Card then asked to have a confidential meeting called with council regarding the recent request from the Board for an audit from the Fire Department. It was pointed out that such a meeting would be in conflict with the Open Meetings Law. Mr. Card suggested that he Attorney Gascon stated that the Fire Department is to provide a "semi-annual independent audit ..." as detailed in the annual contract between the Town and the Fire Department. The last audit was performed by Cuddy and Ward over two years ago. It was suggested that the Fire Department audit be done by the State for free, in the same fashion as the Town gets their audits done annually, instead of using taxpayers' money in the amount of 7 to 9 thousand dollars. The point was made that according to the existing contract between the Town and the Fire Department, the audit is a contractual obligation of the Fire Department, and that the Town is specifically paying for the audit as part of the monies outlined in Schedule "A". The contract makes no distinction regarding the amount of income the Fire Department reports. In speaking about getting the audit done by a private firm versus the State, it was pointed out that the financial reporting has been less than timely or complete as required by the contract lately and that that observation contributed to the request that an audit be done and received by the Board within six months. It was agreed upon by several people that the State would take much longer to complete an audit, and in light of how long it has been since an audit has been conducted, it would be preferable to engage a private firm to complete the process in a timelier manner.

Welcome Center

Jim Rossiter informed the Board that no potential contractors attended the pre-bid conference that had been scheduled for 10:00 am today at the park for the purpose of reviewing the overall objectives and limits of the project.

Items from the Board: Gabe Hood asked if anyone knows if the two new buses the school authorized in the new budget would be electric? No one knew specifically.

Supervisor Stevens let everyone know that the Town of Marcellus is now a certified member of The Association of Towns of the State of New York. Anyone who would desire to review the certificate and/or the brochure of the Association's priorities can view same in the office of the Town Clerk. The OCWA Annual Report for the fiscal year ending December 31, 2023, will also be on file in the Town Clerk's office.

Councilor Hoey said that Jerry Wickett was wondering about scheduling the next steps in the process of the public meeting for the Comprehensive Plan. Rose should be contacted regarding reserving the conference room for the meeting.

The Board inquired about the status of the key fob project. Mike Ossit responded that he is still waiting for a response. Councilor Berwald offered to give Mr. Ossit some alternative contact information.

Councilor Berwald gave an update on the Little League Baseball fencing project for the Park: it will cost \$19,000.00. He has been in contact with Julie Abbott and They are seeking funding from the County. Local fundraising by the teams was spoken mentioned another possible option for some of the money.

Councilor Berwald asked about the timeclock project that had been talked about last fall. Supervisor Stevens said that there was no support for the project at that time and asked if Councilor Berwald would be willing to look into the project again for the Board. Councilor Berwald agreed to do so.

Mike Ossit also mentioned that the AFLAC people would like to offer their programs to our employees. Mike will set up a meeting if the Board is OK with engaging their representative. There was a question about whether seasonal employees could be included in such a program, but Mike will have to get back to the Park about this.

Adjournment: Councilor Hood made a motion seconded by Councilor Clarke to adjourn the Workshop Meeting at 7:30 pm.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

Respectfully submitted,

Suzanne Tobin
Deputy Town Clerk