

Marcellus Town Board  
Regular Meeting  
Wednesday, July 10, 2024  
6:30 PM

A Regular Meeting of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, July 10, 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
Gabe Hood	Councilor

Also Present: Mike Ossit, Highway Superintendent; John Houser, Codes Officer; Phil Coccia, Recreation Director; Jim Gascon, Town Attorney; Jeremy Perry, Deputy Highway Superintendent; Krissy Lanning, Jim Rossiter, Bill Southern, Scott Stearns, Zoning Chairperson; Tom Lathrop, Karen Pollard, Diana Spencer, Jeddie and Heather Pitre, Dustin Stout, Mike Stout, Claudia Leubner, Erica and Tim Leubner, Geoff and Rachel Lewis, Vincent Byrne, Aidan Hastings, Steven and Robin Bolewski, Dave Card, Fire Department; Suzanne Tobin, Deputy Town Clerk; Rosemary Tozzi, Town Clerk

**Waive the Reading and Accept the Minutes:** Councilor Clarke made a motion seconded by Councilor Hoey to waive the reading and accept the minutes as presented by the Town Clerk. The minutes were from the June 5, 2024, Town Board Meeting and the June 26, 2024, Workshop Meeting.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

**Monthly Activity:** The abstract of Audited Vouchers for July 3, 2024, given to the Board Members as submitted by the Town Clerk. Abstract #7 as of July 3, 2024. Claim # 156785-156792.

	<u>Expenses</u>
General Fund	\$599.68
Total	\$599.68

The abstract of Audited Vouchers for July 10, 2024, given to the Board Members as submitted by the Town Clerk. Abstract #7 as of July 3, 2024. Claim # 156793-156822.

	<u>Expenses</u>
General Fund	\$17,157.29
Part Town General	2,188.50

Townwide Highway	1,707.31
Part Town Highway	2,963.04
Total	\$24,016.14

Board Members were given the Activities Report as of July 2, 2024. Fiscal year 2024 Period 6.

	<u>Revenue</u>	<u>Expense</u>
General Fund	(2,386,389.47)	724,278.47
Part Town General	( 210,114.01)	79,786.48
Townwide Highway	( 166,216.28)	237,754.69
Part Town Highway	( 282.01)	85,030.76
Fire District	( 398,619.45)	298,950.75
Hydrant Fund	( 3,078.30)	1,715.64
Ambulance Fund	( 313,379.42)	235,023.75
Sewer District	( 195,952.86)	195,952.00
Water District	( 182,281.86)	84,191.86

**Bank Balances:**

The total of all Bank Balances for May 2024 is \$5,101,483.78

Councilor Hood made a motion seconded by Councilor Berwald to approve the Abstract of Audited Voucher Reports as of July 3, 2024, July 10, 2024, and the Activities Report as of July 2, 2024, and the Bank Balance Balances of May 2024.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens Carried

**Old Business:**

**Welcome Center Update:** Jim Rossiter and Mike Ossit presented the Town Board with a price from Erie Materials for the Welcome Center renovations. The cost of materials will be around \$8,000.00. There will be an additional cost of approximately \$2,000.00 to complete the renovations.

Councilor Hoey made a motion seconded by Councilor Berwald to declare Erie Materials the sole source and approve the purchase of materials for the Welcome Center.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens Carried

**Fire Department Financials:** The financial statement for the period of January 1, 2024, through June 26, 2024, was given to the Town Board. Supervisor Stevens asked about charges regarding building repairs and maintenance. Dave Card stated that funds were used towards the kitchen renovation and heating and ventilation. There were no other questions or concerns from the Town Board.

**Cemetery Trees:** Quotes were received from Cheslock Tree Removal, LLC for the removal and trimming of trees in the Cemetery on North Street. After some discussion it was decided to remove the dead Spruce tree at a cost of \$1,950.00 and trim the large Silver Maple at a cost of \$1,625.00.

Cheslock Tree Removal, LLC is under State contract therefore the procurement procedure is not required.

Councilor Berwald made a motion seconded by Councilor Hoey to approve the trimming of the Silver Maple and remove the dead Spruce tree.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

**Tim’s Pumpkin Patch PUD:** On July 1, 2024, the Planning Board passed a resolution recommending that the PUD application be denied. The Planning Board recommended the applicants apply for a special use permit. The Planning Board felt that was a more appropriate application. According to our PUD local law the Town Board has the authority to accept or reject in whole or part the resolution of the Planning Board. The Matter is now in front of the Town Board. Jim Gascon, Town Attorney recommended the Town to invite the applicants and their attorney to present to the Town Board their position with respect to the Planning Board’s resolution. This would give the applicant the opportunity to be heard by the Town Board as to what their position is on the subject.

Erica Leubner spoke to the Town Board and residents. Tim Leubner is a partner on his family’s dairy farm that has been farming for 100 years in the Town of Marcellus. Tim’s Pumpkin Patch is also celebrating its 30<sup>th</sup> year in business. New York State awarded the dairy and crop farmers a New York Ag land Trust grant, 536 acres were put into a conservation easement. Tim’s Pumpkin Patch was awarded an agritourism grant through Onondaga County. It was the second agritourism grant they received from the County. The reason the Leubner’s want the PUD is sustainability and the future of the farm. The Leubner’s feel they have been supported on a County and State level and want to know why the Town of Marcellus is not showing the same support. Erica mentioned that there were a few things in the resolution that they disagree with. The first being that it is for a single use in one family. That information is incorrect. Their daughters are partners in the business and the property has three households. Three households would benefit from having the PUD. The Leubner’s employ around 37 employees each year, most of which are teenagers. Another reason why the Leubner’s choose to do the PUD was an attempt to mitigate the zoning issues over the years. This topic was tabled until the July 24, 2024, Workshop meeting.

**New Business:**

**Notice of Demolition of 2595 Pleasant Valley Road:** Supervisor Stevens read a voice resolution. Based on the determination of a hearing officer, Gerald E. Wickett, following a hearing conducted on June 24, 2024, and the testimony and evidence presented at that hearing, I make a motion to declare the residents located at 2595 Pleasant Valley Road, Marcellus, New York, unsafe and direct the demolition of the structure and removal of debris pursuant to section 90-8 of the Marcellus Town Code.

Councilor Clarke made a motion seconded by Councilor Hood to approve the voice resolution and to move ahead with the demolition of the property.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

**Appoint Deputy CEO:** Deb William retired from her position as the Deputy CEO after many years of service to the Town of Marcellus. John Houser, Code Officer requested the approval of the Town Board to appoint Jeremy Perry as the new Deputy CEO.

Councilor Berwald made a motion seconded by Councilor Hoey to appoint Jeremy Perry as the new Deputy CEO.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

## **Departments Reports:**

**Codes:** Onondaga County has a hazard mitigation plan that covers catastrophe situations. We have been involved in this plan for 5 years. John will be attending a few meetings and classes regarding this topic.

**Highway:** Work has started on Limerick and the Highway Department is still working with the Village and school.

**Parks/Rec:** Concerts are going well, high attendance. Recreation camps have started and are very busy.

**Town Clerk:** Rosemary Tozzi, Town Clerk, presented the monthly report for June 2024.

Dog Licensing \$584.00

Certified Copies-Marriage \$10.00

One-day Marriage Officiant \$25.00

Passport \$35.00

Conservation \$15.47

Marriage Licensing \$37.50

Building \$988.00

Zoning Fees \$280.00

## **Discussion Agenda:**

**Fire Department:** Dave Card is requesting a review of the topics listed below.

**Contract:** The Fire Department would like to talk about dates of reports following a calendar year, quarterly reports and audit. The audit is going to probably be done every year. The Fire Department is close to securing a new auditing firm. They would also like to discuss a different pay schedule.

**Compensation and VFBL Review:** The Fire Department is requesting a review from the insurance provider regarding the compensation agreement and coverage. Supervisor Stevens informed Dave that the cost for Firefighters only is \$76,860 for two years. So, yearly it's \$38,430 per year.

**Report on All Monies taken in for the Fire Budget:** The Fire Department would like a breakdown of all the funding that is being collected for the firefighters and for all the fire tax that doesn't come in from the Fire Department Budget.

**Truck Reserve:** The Fire Department has concerns with OSHA putting more restrictions on equipment that there will not be enough money in the reserve fund to support the new vehicles needed.

**Service Awards Program:** The Fire Department is requesting a referendum to change the program for 2025. New York State has increased the amount of the service awards from \$700 to \$1200 a year. They would like to offer the max amount and lower the age for eligibility.

**Community Wide Recruitment Program:** The Fire Department would like to get programs going around the community to get manpower back up. They are hoping for support from the Town, Village, School and community.

**Building Maintenance:** The main man doors frames are completely rotted and will need to be replaced. A ventilation system will need to be installed in the apparatus bay. This system is put in place to limit the carcinogens that are in the air from truck diesel smoke. The truck bays need to be protected by a ventilation system or a filtration system.

**Adjournment:** Councilor Hoey made a motion seconded by Councilor Hood to adjourn the meeting at 7:20pm.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

Respectfully submitted,

Rosemary Tozzi  
Town Clerk