

Marcellus Town Board
Workshop Meeting
Wednesday, July 24, 2024
6:30 PM

A Workshop Meeting of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, July 24, 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; Jim Rossiter, John Pawlewicz, Rudy Zona, Russ Rahrle, Bill Southern, Gary and Linda Wilcox, Tom Lathrop, Jeddie and Heather Pitre, Mike Stout, Erica and Tim Leubner, Tom Blair, Vincent Byrne, Hunter Byrne, Jean Byrne, Steven and Robin Bolewski, Dave Card, Fire Department; Suzanne Tobin, Deputy Town Clerk; Rosemary Tozzi, Town Clerk

Abstract of Audited Vouchers: The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #7 as of July 12, 2024. Claim #'s 156833-156840.

Expense	
General Fund	\$4,308.20
Total	\$4,308.20

The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #7 as of July 19, 2024. Claim #'s 156841-156878.

Expense	
General Fund	\$20,859.67
Part Town General	1,930.29
Townwide Highway	653.64
Part Town Highway	20,933.78
Trust and Agency	2,037.19
Total	\$46,414.57

The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #7 as of July 22, 2024. Claim #'s 156888-156894.

Expense	
General Fund	\$739.11
Total	\$739.11

Councilor Hoey made a motion seconded by Councilor Hood to approve the Abstract of Audited Vouchers and pay the bills as of July 24, 2024.

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

Old Business:

Tim’s Pumpkin Patch PUD: Tom Blair is representing Tim’s Pumpkin Patch, LLC and Erica and Tim Leubner who have applied for a Planned Unit Development zoning (“PUD”) for their property located at 2901 Rose Hill Road, Marcellus, NY. Mr. Blair spoke on behalf of Leubner’s regarding the Planning Board denying the PUD. The Leubner’s strongly object that the PUD is the wrong application to achieve the Applicants desired results. The Planning Board recommendation that a PUD is not intended for single use by a single owner. Mr. Blair pointed out that nowhere in the Code does it state that a PUD is meant for, or only for, the business activities of multiple owners. There are many single owned properties that have been successfully granted a PUD. The Planning Board also recommended that a more appropriate application would be a Special Use Permit. The Leubner’s disagree with this as a PUD is intended to promote site design and land use flexibility. The Leubner’s have hired RZ Engineering to develop a site plan and a layout of how things will look and operate. This plan will be presented to the Town Board upon its completion.

New Business:

Permissive Referendum- Park:

**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 July 24, 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 Park 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 Park Department desires to acquire a new Kubota V Series RTV-X1100CWL-H utility vehicle; and

WHEREAS, available through Admar Supply, is a Kubota V Series RTV-X1100CWL-H utility vehicle at a contract price not to exceed Thirty-Six Thousand Eleven Dollars and 18/100 Cents (\$36,011.18); 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, an equipment reserve fund known as the "Park Capital Reserve" 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 Park Capital Reserve of the Town of Marcellus and for the purchase of the aforementioned Kubota V Series RTV-X1100CWL-H utility vehicle for use by the Town of Marcellus Department in the physical betterment and improvement of the Town; and

WHEREAS, said utility vehicle shall be purchased from Admar Supply, at a purchase price of Thirty-Six Thousand Eleven Dollars and 18/100 Cents (\$36,011.18) using monies from the Park Capital Reserve.

NOW THEREFORE, BE IT RESOLVED, the Town of Marcellus Town Supervisor is hereby authorized to enter into an agreement to acquire a Kubota V Series RTV-X1100CWL-H utility vehicle, at a price not to Thirty-Six Thousand Eleven Dollars and 18/100 Cents (\$36,011.18), from Admar Supply; and

BE IT FURTHER RESOLVED that the sum of Thirty-Six Thousand Eleven Dollars and 18/100 Cents (\$36,011.18), from the Park Capital Reserve, be designated for expenditure in furtherance of the acquisition of a Kubota V Series RTV-X1100CWL-H utility vehicle; 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 “Press-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 Berwald and seconded by Councilor Clarke.

VOTE:	Laurie Stevens	AYE
	Jeff Berwald	AYE
	Percy Clarke	AYE
	Gabe Hood	AYE
	Terry Hoey	AYE

Resolution duly adopted.

Dated: July 24, 2024

Proposal of adding additional trash receptacles throughout the park: Kirk Stevenson served as a judge at the 8th grade Earth and Environmental Science Fair. At the Science Fair a group of kids undertook an initiative to clean up Marcellus Park. They collected a significant amount of garbage. The students proposed adding additional trash receptacles throughout the park. Kirk brought this idea before the Town Board. Rich Frost, a local business owner and community member offered to donate funds for this cause on the condition that his name is displayed on the receptacles. After some discussion it was decided that the park will remain carry in, carry out. Phil Coccia, Recreation Director agreed to place an additional trash can by Braeside Apartments.

Budget Adjustment- Tree Service- Cemetery: A funds transfer was proposed to the Town Board requesting the transfer of \$3,600 from Special Facilities to the expense line (A.8810.400) Cemetery Contractual for the one tree removal and one trimming of a tree.

Councilor Hoey made a motion seconded by Councilor Hood to approve the funds transfer.

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

Budget Adjustment- Welcome Center: A funds transfer was proposed to the Town Board requesting the transfer of \$10,000 from General Funds to the expense line (A.7110.4000) Park Contractual for the updates to the Welcome Center to be reimbursed by the Grant.

Councilor Berwald made a motion seconded by Councilor Hoey to approve the funds transfer.

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

Discussion Agenda:

Fire Department: Dave Card informed the Town Board that the Fire Department has a signed contract with F.J. Pompo & Company, PC to do the external Audits required in their contract. Dave

asked the Board if there were any updates from the discussion from the previous meeting. Mike Ossit has contacted Mr. Black to get a quote to fix the doors at the Fire Department. The Board will reach out to the County to inquire about grants to complete the exhaust system.

Solar Law: The Town of Marcellus passed the current Solar Law in 2017. The current law does not address prime farmland. It was recommended by Jim Gascon, Town Attorney to add a section to protect prime farmlands. Jim Gascon will prepare an updated version and present it to the Town Board for further discussion and revisions.

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

Ayes –Berwald, Clarke, Hoey, Hood and Stevens

Carried

Respectfully submitted,

Rosemary Tozzi
Town Clerk