

Marcellus Town Board  
Regular Meeting  
Wednesday, September 4, 2024  
6:30 PM

A Regular Meeting of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, September 4, 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; Phil Coccia, Recreation Director; Jim Gascon, Town Attorney; Gary and Linda Wilcox, John Pawlewicz, Bill Southern, Steven and Robin Bolewski, Carter Boicourt, Soleil Misiano, Jerry Wickett, Dave Card, Fire Department; Suzanne Tobin, Deputy Town Clerk; Rosemary Tozzi, Town Clerk

**Waive the Reading and Accept the Minutes:** Councilor Hood made a motion seconded by Councilor Berwald to waive the reading and accept the minutes as presented by the Town Clerk and Budget Officer. The minutes were from the August 7, 2024, Town Board Meeting, the August 21, 2024, Workshop Meeting and August 28, 2024, Budget Meeting.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

**Monthly Activity:** The abstract of Audited Vouchers for September 4, 2024, given to the Board Members as submitted by the Town Clerk. Abstract #9 as of August 30, 2024. Claim # 157037-157080.

	<u>Expenses</u>
General Fund	\$20,860.24
Part Town General	2,461.53
Townwide Highway	3,218.60
Part Town Highway	10,366.37
Fire District	91,108.25
Ambulance	1,616.25
Trust and Agency	704.96
Total	\$130,336.20

Board Members were given the Activities Report as of August 26, 2024. Fiscal year 2024 Period 8.

	<u>Revenue</u>	<u>Expense</u>
General Fund	(2,474,230.76)	1,072,450.62
Part Town General	( 213,230.64)	105,338.77
Townwide Highway	( 166,964.62)	297,742.82
Part Town Highway	( 333.65)	156,851.63
Fire District	( 398,726.80)	299,363.75
Hydrant Fund	( 3,079.81)	1,715.64
Ambulance Fund	( 313,382.17)	235,023.75
Sewer District	( 195,953.21)	195,952.00
Water District	( 182,383.64)	174,638.86

**Bank Balances:**

The total of all Bank Balances for July 2024 is \$4,912,378.28

Councilor Hoey made a motion seconded by Councilor Clarke to approve the Abstract of Audited Voucher Reports as of August 30, 2024, and the Activities Report as of August 26, 2024, and the Bank Balances of July 2024.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

**Old Business:**

**Solar Law:** This topic was tabled to give the Planning and Zoning Board time to review the proposed law.

**Tim’s Pumpkin Patch PUD:** This topic was tabled. The Town Board is still in the discussion phase.

**Brush Grinding- Green Renewable:** Green Renewable submitted a one-year contract for the following services. Grinding the brush pile at 4264 Slate hill Rd. They will grind and process the yard waste stockpile and will assist with the equipment and operator for grinding and loading trucks. The Town of Marcellus will provide fuel for the equipment. The total for the one-year contract is \$8,500. The Town and village split the cost evenly. The Town will pay \$4,250.

Councilor Clarke made a motion seconded by Councilor Hoey to allow Supervisor Stevens to sign the one-year contract for brush grinding through Green Renewable as they are the sole source provider.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

**General Codes:** This topic was tabled. The Town Board will discuss options during the budget meetings.

**Set Budget Meetings:** The Town Board set two more Budget Meetings for September 11, 2024, and September 18, 2024, at 5:30pm. The Fire Department will be attending the September 11<sup>th</sup> meeting. Councilor Hood made a motion seconded by Councilor Berwald to approve the dates selected for the Budget Meeting.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

**New Business:**

**Comprehensive Plan- SEQR:** This topic has been tabled. Jim Gascon has spoken with the Comprehensive Committee and is waiting for them to provide the SEQR document from a consultant.

**SEQR (Short Environment Assessment Form):** Jim Gascon, Town Attorney, read through the SEQR for Local Law B-2024 – A Local Law Overriding the Tax Levy Limit Established in General Municipal Law §3-C in the Town of Marcellus. It has been decided that this proposed action will not result in any significant adverse environmental impacts.

Councilor Hoey made a motion seconded by Councilor Hood to approve the SEQR for Local Law B-2024.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

## **TOWN OF MARCELLUS**

### **TOWN BOARD RESOLUTION**

**September 4, 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”)

Councilor Hoey introduced proposed Local Law No. B-2024, relating to the ability of the Town of Marcellus to override the limit on the amount of real property taxes that may be levied by the Town of Marcellus pursuant to General Municipal Law §3-c, and to allow the Town of Marcellus to adopt a Town budget for the fiscal year 2025 in excess of the “tax levy limit,” if necessary, and made the following motion, which was seconded by Councilor Clarke:

**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 (SEQR) 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 to said Local Law is an unlisted action for purposes of environmental review under SEQR; and

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

**WHEREAS**, the said EAF has been prepared and has been reviewed by the Town Board; 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**, it is

**RESOLVED AND DETERMINED**, that the enactment of proposed Local Law No. B-2024 is an unlisted action, there are no other involved agencies and this Board shall act as lead agency in this matter for purposes of SEQR review; and it is further

**RESOLVED AND DETERMINED**, 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 SEQR; and it is further

**RESOLVED AND DETERMINED**, that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. B-2024 at the Town Hall located at 22 E. Main Street, Marcellus, New York 13108 on October 16, 2024, at 6:30 p.m., 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:

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

The foregoing resolution was thereupon declared duly adopted.

**DATED: September 4, 2024**

**Tim’s Pumpkin Patch- Extend PUD:** The Town Board is still in the discussion process and the Board does not want the PUD to lapse. It was decided to extend the PUD for six months. The new expiration date will be May 6, 2025.

Councilor Berwald made a motion seconded by Councilor Clarke to extend the PUD date to May 6, 2025.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

**West Hill Cross-Country Meet:** West Hill would like to hold a cross-country meet at the Marcellus Park on October 30, 2024. There will be two races, the races will take place at 4:15pm and 5:00pm. The event would end at 5:45pm. They are requesting time prior to the race to set up the course. They are requesting use of the bathroom and will provide port-a-potties. After some discussion it was decided that the bathrooms will be closed, and port-a-potties will be required. The Town Board wanted to know if Marcellus will be included in this race. The topic has been tabled for more information.

**Departments Reports:**

**Codes:** John Houser reported that Jeremy Perry is learning the process of Fire Inspections. He has spoken to Jim Gascon regarding the demolition of Pleasant Valley Road. He will be preparing a request for proposal on the demolition. He will also be working with TDK to assist with the Storm Management Plan.

**Highway:** Mike Ossit reported that the dead pine tree was removed from the cemetery. The Highway Department has been working on paving

**Parks/Rec:** Phil Coccia reported that the concerts in the park were a big success. Councilor Hoey received an email from Jason Burke the cross-country coach regarding the Marcellus XC Invitational that will take place in Marcellus Park on October 19, 2024. They would like to incorporate as many local Marcellus businesses as possible at the invitational. They would like the Town Board’s permission to have local vendors present. It was determined that more information will be needed to approve the request. Councilor Hoey will reach out to Mr. Burke for more information and the Town Board will discuss it at the next meeting. The Town Board does recommend that they should work with the Chamber of Commerce.

**Town Clerk:** Rosemary Tozzi, Town Clerk, presented the monthly report for August 2024  
Dog Licensing \$321.00

Certified Copies-Marriage \$60.00  
Photocopies/FOIL \$19.50  
Passport \$420.00  
Conservation \$158.23  
Marriage Licensing \$37.50  
Mattress Permit \$25.00  
Building \$405.00  
Zoning Fees \$280.00

**Discussion Agenda:**

**Fire Department:** Dave Card, Councilor Clarke, and Mike Ossit attending the Independent Studies Meeting at the Marcellus School. It was a great meeting. Dave reported that Lori Petrocci helped with the grant regarding the ventilation system at the Fire Department.

Supervisor Stevens requested a meeting with Council

**Adjournment:** Councilor Clarke made a motion seconded by Councilor Hood to adjourn the meeting at 7:10pm.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

Respectfully submitted,

Rosemary Tozzi  
Town Clerk