

Marcellus Town Board
Regular Meeting
Wednesday, January 8, 2025
6:30 PM

A Regular Meeting of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, January 8, 2025, 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: Jim Gascon, Town Attorney; John Houser, Codes Officer; Bill Southern, Steven Bolewski, Chris Christensen, Jim Rossiter, Barry Potter, Dave Card, Fire Department; Suzanne Tobin, Deputy Town Clerk; Rosemary Tozzi, Town Clerk

Waive the Reading and Accept the Minutes: Councilor Berwald made a motion seconded by Councilor Hood to waive the reading and accept the minutes as presented by the Town Clerk. The minutes were from the December 4, 2024, Town Board Meeting and the December 30, 2024, End of Year Meeting. Ayes – Berwald, Clarke, Hoey, Hood and Stevens Carried

Monthly Activity: The abstract of Audited Vouchers for January 7, 2025, given to the Board Members as submitted by the Town Clerk. Abstract #1 as of January 3, 2025. Claim #s 157555-157572.

	<u>Expenses</u>
General Fund	\$27,542.68
Part Town General	3,828.55
Townwide Highway	5,424.02
Part Town Highway	4,680.00
Fire District	17,949.75
Ambulance Fund	1,214.00
Trust and Agency	2,070.57
Total	\$62,709.57

The abstract of Audited Vouchers for January 8, 2025, given to the Board Members as submitted by the Town Clerk. Abstract #12 as of January 3, 2025. Claim #s 157541-157554.

	<u>Expenses</u>
General Fund	\$4,142.54
Part Town General	22.73
Townwide Highway	2,589.07

Total \$6,754.34

Board Members were given the Activities Report as of January 6, 2025. Fiscal year 2024 Period 12.

	<u>Revenue</u>	<u>Expense</u>
General Fund	(1,749,614.48)	1,434,272.03
Part Town General	(216,668.78)	190,945.92
Townwide Highway	(650,775.32)	463,419.85
Part Town Highway	(376,832.40)	277,968.23
Fire District	(398,789.50)	390,876.00
Hydrant Fund	(3,081.75)	3,227.00
Ambulance Fund	(313,384.81)	313,365.00
Sewer District	(195,953.88)	195,952.00
Water District	(182,045.45)	185,269.00

Bank Balances:

The total of all Bank Balances for November 2024 is \$3,698,177.90

Councilor Berwald made a motion seconded by Councilor Hoey to approve the Abstract of Audited Voucher Reports as of January 3, 2025, the Activities Report as of January 6, 2025, and the Bank Balances of November 2024.

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

Old Business:

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

Sewer Contract with the Village: This topic has been tabled.

Re-Introducing Local Law C-2024 Outdoor Concerts:

TOWN BOARD RESOLUTION

RE-INTRODUCING LOCAL LAW C-2024

(A Local Law Amending Chapter 235 of the Code of the Town of Marcellus

Regarding Outdoor Concerts)

TOWN OF MARCELLUS

January 8, 2025

At a regular 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 January 8, 2025, at 6:30 P.M., there were:

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

WHEREAS, Councilor Hood introduced proposed Local Law No. C-2024, “A Local Law Amending Chapter 235 of the Code of the Town of Marcellus” and made the following motion, which was seconded by Councilor Hoey; and

WHEREAS, previously on November 6, 2024, the Town Board of the Town of Marcellus introduced proposed Local Law No. C-2024, “A Local Law Amending Chapter 235 of the Code of the Town of Marcellus Regarding Outdoor Concerts,” which Local Law would allow outdoor concert(s) as an accessory use in certain Zoning Districts within the Town subject to a special use permit; and

WHEREAS, a public hearing on the issue of the proposed Local Law was noticed for December 4, 2024 and publication of the Notice of Public Hearing was accomplished as per law; and

WHEREAS, subsequent to the public hearing held on December 4, 2024, it was determined by the Town Board to revise and amend proposed Local Law C-2024, which revisions clarify conditions for receiving a special use permit for outdoor concerts as an accessory use in certain Zoning Districts; and

WHEREAS, the Town Board believes such revised and amended Local Law C-2024 should be considered for further public comment; and

WHEREAS, the full text of said Local Law, as revised and amended, is on file at the Clerk’s Office at the Town Hall, 22 East Main Street, in said Town, and may be viewed by all interested persons during normal business hours, Monday through Friday; 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 a Type I Action for purposes of environmental review under SEQRA; and

WHEREAS, the Town Board has determined that Full Environmental Assessment Form (EAF) shall be required in connection with this matter; and

WHEREAS, the said full 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, revised and amended, 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 enactment of said proposed Local Law C-2024 is a Type I Action, there are no other involved agencies and this Board shall act as lead agency in this matter for purposes of SEQRA review; and it is further

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 shall conduct a new public hearing as to the enactment of proposed Local Law No. C-2024, as revised and amended, at the Town Hall located at 22 East Main Street, in the Town of Marcellus on February 5, 2025 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:

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: January 8, 2025

New Business:

2024 Court Audit: Pursuant to Uniform Justise Court Act 2019-a, it is the duty of every justice to present his/her record and docket, at least once a year to the auditing board of the Town. The Marcellus Justise Court 2024 records are available to be presented for such examination. It was determined by the Town Board that Councilor Clarke will audit the 2024 Court records and present his finding at a future Town Board meeting.

Concerts in the Park 2025 Contracts: Parks and Recreation is asking the Town Board to approve and sign all contracts for the concerts in the park. All Concerts on held on Thursdays.

June 26- Horn Dogs, band fee \$600.00

July 3- Fab Cats, band fee \$600.00

July 10- Finn Kelly Band, band fee \$600.00

July 17- T.J Sacco Band, band fee \$600.00

July 24- Faded Vinyl, band fee \$600.00

July 31- Joe Whiting, band fee \$750.00

August 7 Mood Swing, band fee \$650.00

August 14- Rain date

Councilor Berwald made a motion seconded by Councilor Clarke to approve Supervisor Stevens to sign the contracts for the concerts in the park.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

2025 Highway Budget Adjustment: Mike Ossit would like approval to transfer funds in the amount of \$77,703 from Fund Balance (DA909) and place in the Townwide Highway Equipment line (DA.5130.2000) for the purchase of a pick-up truck in the amount of \$55,500 and the purchase of a Mongo Gen2 35” Forestry Mulcher in the amount of \$22,203.

Councilor Clarke made a motion seconded by Councilor Berwald to approve the transfer of funds of \$77,703 from Fund Balance (DA909) to Townwide Highway Equipment line (DA.5130.2000).

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

Official Undertaking of Municipal Officers: The Official undertaking is a bond that the Town purchased for security. This bond includes Town Supervisor Laurie Stevens, Rosemary Tozzi as Town Clerk, Sandra Taylor as Tax Collector, Mary Reagan Dailey as Town Justice, Daniel Falge as Town Justice, Michael Ossit as Superintendent of Highways, Terry Hoey as Deputy Town Supervisor, Mary Beth Lollis Barnello as Court Clerk, Lori Petrocci as Bookkeeper and Deputy Tax Collector, Michele Norstad as Recreation Attendant, Suzanne Tobin as Deputy Town Clerk, Susan Dennis as Deputy Town Clerk, Joanna Clarke as Secretary to Codes and Planning/Zoning Board, Olivia Dunn as Deputy Court Clerk, and Elaine Potter as Deputy Tax Collector.

Councilor Hood made a motion seconded by Councilor Berwald to have all the named Officials sign the official undertaking as required by the insurance company.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

Parks and Recreation 2024 Budget Transfer: This topic has been tabled.

Marcellus Park Incident Report Form: Jim Rossiter asked the Town Board to review and approve an incident report form for Marcellus Park. The form will be used to report accidents, injuries, medical situations, criminal activities, traffic incidents, or other incidents.

Councilor Berwald made a motion seconded by Councilor Clarke to approve the use of the incident report form presented to the Board.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

Exterior Lights for Parks Maintenance Buildings: Jim Rossiter presented two quotes for material to install exterior lights for the park maintenance building. The first quote is from GMES for \$947.93 the second is from Home Depot for \$831.48. The park employees will complete the work, no labor fees are associated with the quotes. The lights will help with security issues.

Councilor Hood made a motion seconded by Councilor Hoey to approve the purchase for material from Home Depot at a cost of \$831.48.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

Changing locks/key fobs for Park buildings: This topic has been tabled; the Town is waiting for quotes.

Departments Reports:

Codes: John Houser, Codes Offer gave an update on Dublin Road. He is satisfied with the progress that has been made.

Highway: Nothing to report

Parks/Rec: Nothing to report

Town Clerk: Rosemary Tozzi, Town Clerk; Presented the monthly report for December 2024

Dog Licensing \$229

Impoundment Fee \$127.00

Certified Copies-Marriage \$20.00

Passport \$210.00

Conservation \$5.39

Building \$3,431.00

Zoning Fees \$50.00

Discussion Agenda:

Fire Department: Dave Card had nothing to report

Adjournment: Councilor Hood made a motion seconded by Councilor Hoey to adjourn the meeting at 7:03pm.

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

Reopen the Meeting: Councilor Berwald made a motion seconded by Councilor Hoey to reopen the Town Board meeting at 7:05pm.

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

Agreement for the Expenditure of Highway Moneys (added Item): Every year the Town receives an Agreement for the Expenditure of Highway Moneys between the Town and Onondaga County. This Agreement is signed by all the Board Members and the Highway Superintendent. It is an overview of some of the work to be done with the possibility of State Aid for the repair and improvement of highways.

Councilor Hoey made a motion seconded by Councilor Berwald to approve the Town Board to sign the Agreement for the Expenditure of Highway Moneys.

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

Adjournment: Councilor Berwald made a motion seconded by Councilor Clarke to adjourn the meeting at 7:07pm.

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

Respectfully submitted,

Rosemary Tozzi
Town Clerk