

Town of Marcellus
Board Meeting
Wednesday, October 1, 2025
6:30 PM

Call to Order

Salute to Flag

I. Waive the Reading and Accept the Minutes

II. Approve Monthly Financials

III. **Old Business**

- A. Tim's Pumpkin Patch PUD
- B. DEC Public Fishing Rights
- C. LL B-2025 Tax Levy Override

III. **New Business**

- A. MS4 Operator Certification Form
- B. Speed Reduction Route 174- Update
- C. Letter of Support- Village of Marcellus

V. **Reports From Department Heads**

- A. Codes
- B. Highway
- C. Parks/Rec
- D. Town Clerk - monthly report

VI. **Discussion Agenda**

- A. Fire Department
- B. Games of Chance- Baltimore Woods

VII. **Adjournment**

Future Meeting Dates

Planning/Zoning Meeting-Monday, October 6, 2025 - 6:30 pm- Town Hall

Workshop Meeting- Wednesday, October 15, 2025- 6:30 pm- Town Hall

Public Hearing LL. B-2025 Tax Levy Override- Wednesday, October 15, 2025- 6:30 pm- Town Hall

Planning/Zoning Meeting-Thursday, November 3, 2025 - 6:30 pm- Town Hall

Town Board Meeting- Wednesday, November 5, 2025- 6:30 pm- Town Hall

Workshop Meeting- Wednesday, November 19, 2025- 6:30 pm- Town Hall

TOWN OF MARCELLUS
TOWN BOARD BUDGET MEETING MINUTES

September 3, 2025

A Budget Meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, September 3, 2025, in the Town Hall, 22 E. Main Street, Marcellus, New York. Those present were:

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

Also Present: Lori Petrocci, Budget Officer, Donald MacLachlan, Recreation Director and Michele Norstad, Recreation Attendant.

Donald MacLachlan gave an overview of the Cemetery Budget stating that the Park employees along with the Highway department can take care of repairing the cemetery stones saving the taxpayers money, while still having a company come in to clean them.

The decision was made to use Option 2 for the Recreation Attendant schedule. The Board stated that the attendants' hours will need to be here some mornings when the building opens and then again in the afternoon, until the building closes. These set hours will be publicized to inform the public.

The Board decided to adjust the Fire Department Truck Reserve from \$100,000 to \$80,000, for the purchase of a Ladder Truck. The Board stated that the Fire Department should go to the taxpayers for a vote as to whether or not approval of a new fire truck is granted.

The Board also questioned, as to where the money goes from the propane tank income.

The Board increased the LOSAP Service Awards budget line by \$7,600 to compensate for the possible increase should the taxpayers approve the increase from \$700 per firefighter to \$1,200.

The meeting concluded at 6:15 p.m.

Respectfully submitted,

Lori Petrocci
Budget Officer

Marcellus Town Board
Regular Meeting
Wednesday, September 3, 2025
6:30 PM

A Regular Meeting of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, September 3, 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: Mike Ossit, Highway Superintendent; Don MacLachlan, Recreation Director; Jim Gascon, Town Attorney; Gary and Linda Wilcox, Tom Lathrop, Dave Card, Fire Department; Bill Southern, John Pawlewicz, Scott Stearns, Art Hudson, Nancy Hudson, Patricia Bishop, Dan Bishop, DEC; Roberta Severson, Suzanne Tobin, Deputy Town Clerk; Rosemary Tozzi, Town Clerk.

Waive the Reading and Accept the Minutes: Councilor Clarke made a motion seconded by Councilor Hood to waive the reading and accept the minutes as presented by the Town Clerk and Budget Officer. The minutes were from August 6, 2025, Town Board Meeting, August 12, 2025, Town Board Budget Meeting, August 19, 2025, Town Board Budget Meeting, August 20, 2025, Town Board Budget Meeting and August 20, 2025, Workshop Meeting.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

Monthly Activity: The abstract of Audited Vouchers for September 3, 2025, given to the Board Members as submitted by the Town Clerk. Abstract #9 as of September 3, 2025. Claim #s 158502-158507, 158516-158550.

	<u>Expenses</u>
General Fund	\$23,140.19
Part Town General	2,290.27
Townwide Highway	20,500.51
Part Town Highway	87,203.64
Fire District	97,683.25
Ambulance Fund	1,214.00
Total	\$232,031.86

The abstract of Audited Vouchers for September 4, 2025, given to the Board Members as submitted by the Town Clerk. Abstract #9 as of September 3, 2025. Claim #s 158560-158567.

	<u>Expenses</u>
General Fund	\$1,177.28
Total	\$1,177.28

Board Members were given the Activities Report as of August 28, 2025. Fiscal year 2025 Period 8.

	<u>Revenue</u>	<u>Expense</u>
General Fund	(1,955,055.87)	982,462.70
Part Town General	(215,125.20)	128,171.56
Townwide Highway	(654,145.20)	397,277.98
Part Town Highway	(299.13)	211,400.49
Fire District	(438,879.61)	300,799.75
Hydrant Fund	(3,315.01)	1,825.69
Ambulance Fund	(311,773.38)	233,817.00
Sewer District	(155,348.98)	153,378.85
Water District	(185,921.12)	177,825.27

Bank Balances:

The total of all Bank Balances for July 2025 is \$5,306,943.81.

Councilor Hood made a motion seconded by Councilor Berwald to approve the Abstract of Audited Voucher Reports for September 3, 2025, September 4, 2025, and the Activities Report as of August 28, 2025, and the Bank Balances of July 2025.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

Old Business:

Tim's Pumpkin Patch PUD: This topic has been tabled. The Planning and Zoning Board will hold two public hearings regarding Tim's Pumpkin Patch's site plan and outdoor concerts on September 4, 2025. Supervisor Stevens addressed the online controversy. The Town Board and ZBA Board have done everything they can to make sure that the process moves smoothly and the site plan is approved.

Fire Department Doors: The Fire Department has requested to have doors replaced. Two companies have submitted bids for the job; P. Black Glass company for \$31,650.00 and Kelly Bros for \$60,572.05. The bid was awarded to P. Black Glass co. for the total cost of \$31,650.00. The Fire Department will pay for the doors out of the building reserve account.

Councilor Clarke made a motion seconded by Councilor Berwald to approve the proposal from P. Black Co. and authorize Supervisor Stevens to sign the contract.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

DEC Public Fishing Rights: Dan Bishop, DEC representative was present at the meeting. Mr. Bishop explained that the DEC is interested in purchasing the easement of land along the creek in Marcellus Park. This would ensure the rights of public fishing on the property purchased by the DEC. It does not change anything regarding the property unless the property is sold then the DEC will maintain ownership of the easement and the right of fishing. Marcellus School District and the Village of Marcellus will also be selling easements rights to DEC. This topic has been tabled for further discussion.

New Business:

Reappointing Town Assessor: Jeffrey Lowe has been reappointed as the Town of Marcellus Assessor for a term of six-years commencing on October 1, 2025, through September 30, 2031.

Councilor Hoey made a motion seconded by Councilor Clarke to approve the reappointment of Jeffrey Lowe as Town of Marcellus Assessor for a six-year term.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

Computing Overtime/Compensatory Time: The handbook will be updated with new verbiage that will read as follows: "Holidays, vacation leave, sick leave, bereavement leave, jury duty leave, and military leave are included as hours worked for the purpose of computing overtime/compensatory time. Lunch time is also included as hours worked for the purpose of computing overtime/compensatory time."

Councilor Berwald made a motion seconded by Councilor Hoey to approve the amendment to the Town of Marcellus employee handbook regarding computing overtime/compensatory time.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

Brush Grinding Contract: Green Renewable submitted a one-year contract for grinding the brush pile at 4264 Slate Hill Rd. They will grind and process the yard waste stockpile and the Town of Marcellus 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 \$10,000. The Town and Village split the cost evenly. The Town will pay \$5,000.

Councilor Clarke made a motion seconded by Councilor Berwald 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

Fire Department Service Award: Dave Card inquired if the Town would be holding a public hearing or informational meeting regarding the LOSAP propositions on the 2025 General Election Ballot. After some discussion it was decided that the Town has followed all of the requirements of publication. It will be the Fire Department's responsibility to host any meetings regarding this. A copy of the LOSAP proposition and resolution is available at the Town Clerk's Office upon request.

Fire Department Financials: The financial statement for the period of January 1, 2025, through August 31, 2025, was given to the Town Board. There were no questions or concerns from the Town Board. A copy is available at the Town Clerk's Office upon request.

Deputy Court Clerk: The Justice Court has interviewed and offered the position of Deputy Court Clerk to Ms. Anne Hatcher; Ms. Hatcher will replace the former Deputy Court Clerk. Ms. Hatcher will start on Monday, September 8, 2025, working 20 hours per week at \$18.50 per hour.

Councilor Clarke made a motion seconded by Councilor Berwald to appoint Anne Hatcher as the new Deputy Court Clerk starting September 8, 2025.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

Recreation Department Hours: The Recreation Department Office hours will change effectively October 1, 2025. The hours will be as follows:

January, February and March

Tuesday 8:30am-1:30pm

Wednesday 8:30am-1:30pm

Thursday 11:00am-4:00pm

April, May, June and July

Monday 8:30am-1:30pm

Tuesday 11:00am-4:00pm

Wednesday 8:30am-1:30pm

Thursday 11:00am-4:00pm

August through December

Tuesday 8:30am-1:30pm

Thursday 11:00am-4:00pm

Councilor Hood made a motion seconded by Councilor Berwald to approve the new Recreation Office hours.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

Department Reports:

Codes: Nothing to report

Highway: The Highway would like to purchase new equipment. A permissive referendum is required and will be presented at the Workshop meeting.

Parks/Rec: Parks and Recreation is doing great. The first Movie in the park was a success. The Park will be hosting one more Movie in the Park on September 12, 2025. The Welcome Center is complete. Pavilion rentals will end October 15, 2025, for the season.

Town Clerk: Rosemary Tozzi, Town Clerk; presented the monthly report for August 2025

Dog Licensing \$370.00

Certified Copies-Marriage \$50.00

Passport \$140.00

Conservation \$150.20

Freon Removal \$15.00

Trash Permit- Trailer \$100.00

Tire \$7.00

Trash Permit- Passenger \$50.00

Trash Permit-truck \$40.00

Building \$1,085.00

Zoning Fees \$825.00

Site Plan \$700.00

Discussion Agenda:

Fire Department: Nothing to report

Adjournment: Councilor Berwald made a motion seconded by Councilor Hoey to adjourn the meeting at 6:52 pm.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

Respectfully submitted,

Rosemary Tozzi

Town Clerk

Marcellus Town Board
Workshop Meeting
Wednesday, September 17, 2025
6:30 PM

A Workshop Meeting of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, September 17, 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
Absent: Gabe Hood	Councilor

Also Present: Mike Ossit, Highway Superintendent; Jim Gascon, Town Attorney; Don MacLachlan, Park and Recreation Director; Gary and Linda Wilcox, Bill Southern, John Pawlewicz, Art and Nancy Hudson, Dave Card, Fire Department; Sue Dennis, 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 #9 as of September 12, 2025. Claim #'s 158568-158596, 158598-158629

	Expense
General Fund	\$29,446.62
Townwide Highway	36,426.81
Part Town Highway	4,085.78
Hydrant Fund	1,771.64
Water District	13,094.51
Trust and Agency	10,000.00
Total	\$94,825.36

Councilor Clarke made a motion seconded by Councilor Hoey to approve the Abstract of Audited Vouchers and pay the bills as of September 12, 2025.

Ayes –Berwald, Clarke, Hoey and Stevens

Carried

Old Business:

Tim's Pumpkin Patch PUD: The Planning and Zoning Board granted a special use permit and approved Tim's Pumpkin Patch site plan at their meeting on September 4, 2025. Jim Gascon, Town Attorney, will present a resolution at the next Town Board meeting to deny Tim's Pumpkin Patch PUD application. The reason the PUD will be denied is because Tim's Pumpkin Patch applied for and received a special use permit and the Planning Board recommended a denial of the PUD.

New Highway Equipment: The full resolution is available at the Town of Marcellus Town Hall located at 22 East Main Street, Marcellus, New York 13108 for review by all interested parties during regular business hours.

Councilor Berwald made a motion seconded by Councilor Hoey to approve a resolution authorizing the withdrawal from a Highway equipment reserve fund known as "Equipment" of an amount not to exceed \$55,217.85 for the purchase of a T770 T4 Bobcat Compact Track Loader and a S650 T4 Bobcat Skid Steer Loader.

Ayes –Berwald, Clarke, Hoey and Stevens

Carried

DEC Public Fishing Rights: DEC is offering to purchase the rights for an easement in Marcellus Park that permits public fishing along the creek. This would give the DEC permanent rights to control fishing along the creek. The Town Board is divided on this topic; it has been tabled until the next meeting.

New Business:

Set Budget Meeting: The Town Board of the Town of Marcellus will hold a Budget Workshop Meeting on Wednesday, September 24, 2025, at 6:00pm. This meeting will be held at the Town Hall, 22 East Main Street, Marcellus.

Councilor Clarke made a motion seconded by Councilor Berwald to hold a Budget Workshop Meeting on September 24, 2025.

Ayes –Berwald, Clarke, Hoey and Stevens

Carried

LL B-2025 Tax Levy Override Introductory Resolution:

**TOWN OF MARCELLUS
TOWN BOARD RESOLUTION**

September 17, 2025

TOWN OF MARCELLUS LOCAL LAW NO. B OF 2025

**("A Local Law Overriding the Tax Levy Limit Established
in General Municipal Law §3-c in the Town of Marcellus")**

Supervisor Stevens introduced proposed Local Law No. B-2025, 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 2026 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 of 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-2025 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-2025 at the Town Hall located at 22 East Main Street, Marcellus, New York on October 15, 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:

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

The foregoing resolution was thereupon declared duly adopted.

DATED: September 17, 2025

Syracuse Technologies- Windows 11 Update: Syracuse Technologies is our new IT service effective July 2025. During the onboarding process it was determined that ten of Town Hall's computers cannot be upgraded to Windows 11. Windows 10 support ends October 2025, without updates, the older PCs will be vulnerable to cyberattacks. The estimate for ten new computers is \$10,997.50.

Councilor Clarke made a motion seconded by Councilor Berwald to approve Syracuse Technologies to replace the ten computers for a total cost of \$10,997.50. Also to deem Syracuse Technologies as a sole source and an emergency procurement as the vendor is indicating that without updates by October the PCs will be vulnerable to cyber-attacks.

Ayes –Berwald, Clarke, Hoey and Stevens

Carried

Discussion Agenda:

Town Board: Councilor Hoey thanked the Planning and Zoning Board for all their work on Tim's Pumpkin Patch and for looking out for the best interests of the Town of Marcellus and Town Government. Councilor Hoey also informed the Town Board and public that he and the Town Clerk had two meetings with Civicplus to explore a new Town website. More details will be provided in the coming weeks.

Fire Department: Dave Card presented the Town Board with a check for the Fire Department replacement doors. Dave would like to meet with Town Board members in small groups to discuss future plans for the truck reserve and an aerial truck replacement.

Recreation: Don MacLachlan, Park and Recreation Director said movie night in the Park went very well and the department has received positive feedback. Parks and Recreation would like to continue this event in the future.

Adjournment: Councilor Clarke made a motion seconded by Councilor Berwald to adjourn the Workshop Meeting at 7:19 pm.

Ayes –Berwald, Clarke, Hoey and Stevens

Carried

Respectfully submitted,

Rosemary Tozzi
Town Clerk

TOWN OF MARCELLUS
TOWN BOARD BUDGET MEETING MINUTES

September 18, 2024

A Budget Meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, September 24, 2025, in the Town Hall, 22 E. Main Street, Marcellus, New York. Those present were:

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

Also Present: Lori Petrocci, Budget Officer

The Board went through the budget numbers discussing the Attorney line and the billing process: retainer vs. hourly. It was decided to stay with the hourly billing for 6 months, checking the amount spent during that time to see if the billing process should be changed.

It was stated that the Tax Assessor will be attending a board meeting to discuss the exemptions for seniors.

There was a question as to how the tax base per 1,000 is computed. These amounts are derived from the assessed value of properties.

The meeting concluded at 6:45 p.m.

Respectfully submitted,

Lori Petrocci
Budget Officer

Rosemary Tozzi

From: Laurie Stevens
Sent: Wednesday, August 13, 2025 11:59 AM
To: Rosemary Tozzi; jgascon@ccf-law.com; Jeff Berwald; Terry Hoey; Gabe Hood; Percy Clarke; Highway
Subject: Fwd: Public Fishing Rights easement

Put this on the agenda and print a copy for me and Don
Laurie
Sent from my iPad

Begin forwarded message:

From: "Prindle, Scott E (DEC)" <scott.prindle@dec.ny.gov>
Date: August 7, 2025 at 2:08:24 PM EDT
To: Laurie Stevens <lstevens@marcellusny.com>
Cc: Highway <Highway@marcellusny.com>, "Bishop, Daniel (DEC)" <daniel.bishop@dec.ny.gov>, "Brown, Hayley R (DEC)" <Hayley.Brown@dec.ny.gov>
Subject: RE: Public Fishing Rights easement

Re-sending with Mike's correct e-mail address.

From: Prindle, Scott E (DEC)
Sent: Thursday, August 7, 2025 1:53 PM
To: lstevens@marcellusny.com
Cc: mossit@marcellusny.com; Bishop, Daniel (DEC) <daniel.bishop@dec.ny.gov>; Brown, Hayley R (DEC) <Hayley.Brown@dec.ny.gov>
Subject: Public Fishing Rights easement

Hi Laurie,

We were meeting yesterday with Mike Ossit and Village staff to look at areas of erosion concern along Ninemile Creek within the Town Park. The topic of Public Fishing Rights (PFR) easements came up. Would the Town be interested in selling the DEC PFR easements on the two parcels they own along Ninemile ?.

It would be the ballfield area (one bank of the creek) and the Town Park (both banks). The total compensation would be approximately \$12,200 pending verification by our Real Property staff. The easement gets added to the property deed so it is permanent and the DEC covers all the closing costs.

Is that something the Town would be open to ? I know the Town currently allows angling there, but this would guarantee it in the future and also provide some revenue at the same time.

Thanks,

Scott

Scott E. Prindle




Aquatic Biologist 2, Division of Fish and Wildlife

New York State Department of Environmental Conservation

Region 7 Cortland Sub-Office

1285 Fisher Avenue, Cortland, NY 13045-1012

P: (607) 753-3095 ext. 204 | F: (607) 753-8532 | Scott.Prindle@dec.ny.gov

www.dec.ny.gov |   





Mary C. Weidman, County Clerk
County Office Building
5 Court Street
Norwich, NY 13815
(607) 337-1451

Chenango County Clerk Recording Cover Sheet

Received From :

NYS DEPT OF ENVIRONMENTAL CONSERVATION
NYSDEC
615 ERIE BLVD W.
SYRACUSE, NY 13204

Return To :

NYS DEPT OF ENVIRONMENTAL CONSERVATION
ATTN: JONATHAN T HOLBEIN LS
615 ERIE BLVD W-REGION 7 HEADQUARTERS
SYRACUSE, NY 13204

First GRANTOR

GENEGANTSLET FIRE CO INC

First GRANTEE

PEOPLE OF THE STATE OF NEW YORK

Index Type : Deeds

Deed Number : 2018-00000203

Book : Page :

Type of Transaction : Easement - No Fee

Recording Fee: \$0.00

Recording Pages : 5

The Property affected by this instrument is situated in Smithville, in the
County of Chenango, New York

Real Estate Transfer Tax

RETT # : 1014

Deed Amount : \$0.00

RETT Amount : \$0.00

Total Fees : \$0.00

State of New York

County of Chenango

I hereby certify that the within and foregoing was
recorded in the Clerk's office for Chenango
County, New York

On (Recorded Date) : 02/13/2018

At (Recorded Time) : 12:26:00 PM



Doc ID - 0054899900005

Mary C. Weidman
Mary C. Weidman, County Clerk



WARNING - THIS SHEET CONSTITUTES THE CLERK'S ENDORSEMENT, REQUIRED BY SECTION 319 & 316-A(5) OF THE REAL
PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH FROM THIS INSTRUMENT

Proceeding 9504
Department of Environmental
Conservation
Genegantslet Creek
Town of Smithville
PFR Chenango 121.03

GRANT OF PUBLIC FISHING RIGHTS

This grant of public fishing rights, made the 13th day of December, 2017,

between

GENEGANTSLET FIRE CO. INC., a not-for-profit corporation organized under the laws of the State of New York, having its principal office for business at 5333 State Highway 41, P.O. Box 151, Smithville Flats, New York 13841, Grantor, and

THE PEOPLE OF THE STATE OF NEW YORK, acting by and through the Commissioner of Environmental Conservation of the State of New York, who has an office at 625 Broadway, Albany, New York 12233-4256, Grantees.

WITNESSETH, that the Grantor, in consideration of TWO THOUSAND, TWO HUNDRED and NO/100 DOLLARS (\$2,200.00), lawful money of the United States paid by the Grantees, does hereby grant and release to the Grantees, their successors and assigns forever,

THE SOLE AND EXCLUSIVE RIGHT, PRIVILEGE AND EASEMENT of occupying and using at all times hereafter as a fishing ground, and for no other purpose, for the use and benefit of the public:

ALL THAT PIECE OR PARCEL OF LAND situate in the Town of Smithville, County of Chenango, and State of New York, lying within the bed of Genegantslet Creek, and within thirty-three (33) feet landward of the Right bank thereof, bounded upstream by New York

State Route 41, and downstream by lands now or formerly of Stuart L. Mohr, Sr., and Frances B. Mohr (Liber 789 Cp 430).

BEING a portion of premises conveyed to the Grantor by deed from Elsie I. Skillman, as Administratrix of the Estate of Dorothy M. Adams, deceased, dated August 12, 1978, and recorded in the Chenango County Clerk's Office on August 14, 1978, in Liber 583 of Deeds at Page 894.

RESERVING to the Grantor, its successors and assigns, the right to access, maintain, replace and utilize the two dry hydrants located within the bed and westerly bank of the Genegantslet Creek as needed to take water from the Creek for fire department purposes, as well as the right to take water from the creek for the stated purposes.

SUBJECT to any easements or rights-of-way of record.

The terms "Right" or "Left" bank, as used herein, refer to "Right" or "Left" as one faces downstream. The distances landward from the bank begin at ordinary high water mark of the stream.

It is mutually covenanted and agreed by and between the parties hereto that the occupation and use of the parcel above described as a fishing ground for the use and benefit of the public is understood to include the following rights, privileges and easements:

1. To persons legally entitled to do so, to catch and take fish from said stream by legal means and for this purpose to travel said stream and to utilize the lands above described for the full enjoyment of this easement.
2. At the discretion of Grantees to improve the said stream by the installation and maintenance of current deflectors and retarders and any other means for the purpose of fostering and improving fishing therein.
3. At the discretion of Grantees to protect the lands above described from erosion by mechanical means or by the planting of trees, plants or shrubs and by the means to provide shade for the protection of the fish in said stream.
4. To post signs and posters along the land, including on trees, as deemed necessary and suitable by the Grantees.
5. In case the course of the stream of water located on the strip of land above described shall be changed by natural or artificial means, the easement shall follow the course of the stream as changed.
6. No right or title of either party hereto, other than as hereby agreed to be conveyed, is to be affected by the execution or acceptance of this easement.

7. The Grantor reserves to itself, its heirs and assigns, the right to the use of said land, including the right of fishery in the stream, provided that such use is not inconsistent with the use of the same as a public fishing ground and with the easement hereby granted, and further reserves the right to use the water in the stream as if this grant had not been made.

8. The rights, privileges and easements hereby granted are to be used by the Grantees for the benefit of the public, subject to and in accordance with the provisions of the Environmental Conservation Law of the State of New York as now enacted or hereafter amended or enacted and the rules and regulations of the Department of Environmental Conservation of the State of New York as now in force or hereafter adopted.

9. The Grantor retains the right to post signs against trespassing on the Easement areas as described herein, provided however, that the content of any such sign shall not work to discourage legitimate access for purposes contemplated by this deed of easement and the content of such signs shall be substantially as follows: "NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, PUBLIC FISHING EASEMENT, FISHING PERMITTED, ENTRY FOR ANY OTHER PURPOSE STRICTLY PROHIBITED."

10. Any subsequent conveyance by Grantor shall be subject to this EASEMENT and any deed or other instrument evidencing or effecting such conveyance shall contain language substantially as follows: "This deed is subject to a fishing rights easement which runs with the land and which was granted to The People of the State of New York by instrument dated _____, and recorded in the office of the Clerk of _____ County at Liber ____ of Deeds at page ____." The failure to include such language in any deed or instrument shall not, however, affect the validity or applicability of this EASEMENT to lands above described.

These covenants are to run with the land and are to apply to and bind the grantees, successors and assigns of the Grantor.

TO HAVE AND TO HOLD the above granted rights unto the Grantees, their successors and assigns forever.

And the Grantor covenants with the Grantees as follows:

FIRST: That the Grantor is seized of said premises in fee simple, and has good right to convey these easement rights;

SECOND: That the Grantees shall quietly enjoy said rights;

THIRD: That said premises are free from encumbrances;

FOURTH: That the Grantor will execute or procure any further necessary assurance of the title to said premises; and

FIFTH: That the Grantor will forever WARRANT the title to said premises.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be signed by its duly authorized officer the day and year first above written.

GENEGANTSLET FIRE CO. INC.

By: [Signature]

Name: Lawrence W. Nelson

Its: President of Board

STATE OF NEW YORK)

COUNTY OF Chenango) ss.:
Chenango

On the 13 day of December in the year 2017, before me, the undersigned, personally appeared Lawrence W. Nelson, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

[Signature]
Notary Public, State of New York

RECORD AND RETURN TO:

Jonathan T. Holbein, L.S.
Supervisor of Real Property
NYS Department of Environmental
Conservation
Region 7 Headquarters
615 Erie Boulevard West
Syracuse, New York 13204-2400

Notary Public, State of New York
Chenango County, New York
My Commission Expires 12/31/2018

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Bureau of Water Permits
625 Broadway, Albany, New York 12233-3505
P: (518) 402-8111 / F: (518) 402-9029
www.dec.ny.gov

MS4 Operator Certification Form for eReports
SPDES General Permit for
Stormwater Discharges From
Municipal Separate Storm Sewer Systems (GP-0-24-001)

Instructions

As required by Part V.B.2. and Part V.B.3. of GP-0-24-001, the MS4 Operator must submit the Annual Report and the Interim Progress Certification, respectively. As stated in Part V.B.5. of GP-0-24-001, all reports must be signed in accordance with Part X.J. of GP-0-24-001.

MS4 Operator Name: TOWN OF MARCELLUS

Permit ID: NYR20A 261

eReport Submission Number: HQ1-1JSS-GHWAT

MS4 Operator Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name (please print or type)

LAURIE STEVENS

Title

SUPERVISOR

Signature

Date

10/1/25



Department of
Environmental
Conservation

MS4 Interim Progress Certification—18 Month Requirements

Alternate Identifier NYR20A261 Submission HQF-NZ7N-P8XZK Revision 1 Form Version 1.1

Review

This step allows you to review the whole form to confirm the information is accurate and complete, prior to certification and submission. If any responses are marked with errors, please use the navigation pane to the left or the arrow above to return to previous sections of the form. Once there, you can edit your responses and correct any missing or invalid fields.

Please note: Information you have entered into the form will not be visible to NYSDEC staff until you complete the 'Certify and Submit' step.

MS4 OPERATOR INFORMATION

Municipality Name or Legal Entity Name
TOWN OF MARCELLUS

Permit ID #:
NYR20A261

MS4 Operator Type
Traditional land use control

Traditional Land Use Control
Town

Traditional Land Use Control

Traditional land use control MS4 Operator requirements are found in Part VI of the MS4 General Permit.

Legal Municipal/Entity Mailing address

22 EAST MAIN STREET
MARCELLUS NY 13108
ONONDAGA

Ranking Official

Official Title	First and Last Name	Phone	Email
Town Supervisor	LAURIE STEVENS	315-685-0264	lstevens@marcellusny.com

 Fullscreen

Report Preparer

Report Preparer Title	First and Last Name	Phone	Email
Stormwater Program Coordinator	John Houser	315-673-3269	jhouser@marcellusny.com

 Fullscreen

Stormwater Program Coordinator


Coordinator Title	First and Last Name	Phone	Email
Stormwater Program Coordinator	John Houser	3156733269	jhouser@marcellusny.com

 Fullscreen

COMPLIANCE SCHEDULE REVIEW

Compliance Schedule Resources

Use the following links for more information on the permit and compliance schedule:

MS4 Permit Webpage 

MS4 Toolbox 

Have you reviewed compliance items due within two years of EDC, January 2, 2026?

Yes

Have you reviewed compliance items due within three years of EDC, January 2, 2027?

Yes

Have you reviewed compliance items due within four years of EDC, January 2, 2028?

Yes

Have you reviewed compliance items due within five years of EDC, January 2, 2029?

Yes

Have you reviewed compliance items which need to be completed routinely (annually, every five (5) years, etc.)?


Yes

Please enter any comments related to the questions in this section.
None Specified

CERTIFICATION

The ranking elected official or Principal Executive Officer for the MS4 Operator will be signing the form.
Yes

As the Ranking Elected Official or Principal Executive Officer, please download the certification form using the link below. Complete and sign the certification. Then, upload the certification form to this Interim Progress Certification and/or Annual Report.

Certification Form 

Attach completed certification form.

No files uploaded

Comment
None Specified



At least one file is required.

2024 MS4 SPDES Action Items List by Deadlines – for basic items in

**** Does not include impaired or TMDL watershed items****

Due by Action Item

2/20/24 Submit new NOI through DEC electronic site

4/1/24 Interim progress report

- 7/3/24
1. Create staffing plan/organization chart with official stormwater coordinator
 2. Stormwater Management Program (SWMP) plan available during normal business hours and kept current
 3. comprehensive system mapping including outfalls, interconnections, preliminary storm sewersheds, MS4 infrastructure, basemap information
 4. create enforcement response plan
 5. Info on illicit discharges publicized following list from permit
 6. MS4 public contact named
 7. illicit discharge reporting e-mail and/or phone number
 8. construction stormwater complaint reporting e-mail and/or phone number
 9. Inventory of all applicable construction site in SWMP plan
 10. develop and implement procedures for sweeping and/or cleaning streets, bridges, parking lots and rights-of-way

- 3-Jan-25
1. develop and implement a construction oversight program
 2. prioritize all construction sites listed in the construction site inventory
 3. develop and implement a post-construction SMP inspection and maintenance program

- * 1/3/2026
1. develop and implement monitoring locations inspection and sampling program
 2. develop and implement illicit discharge track down program
 3. develop and implement illicit discharge elimination program
 4. develop and maintain inventory of all municipal facilities in SWMP plan

- 1/3/2027
1. mapping must include prioritized monitoring locations, focus areas, publicly owned SMPs, prioritized municipal facilities
 2. identify focus areas
 3. identify target audiences and associated pollutant for MCM 1
 4. identify and document education and outreach topics
 5. develop and maintain an inventory of the monitoring locations
 6. prioritize monitoring locations
 7. SWPPP reviewer must receive 4 hour erosion and sediment control training
 8. Construction site inspector must receive 4 hour erosion and sediment control training

RECEIVED

SEP 22 2025

File: 31.27-174

Onondaga County

Town of Marcellus

Case No. 3250128

O:\traffic\TRAFFIC\TESCommon\WPDOCS\TSSs\31_ONONDAGA\2025\3250093 - Speed,
NY-174, Marcellus\3250093 Response

Town of Marcellus

September 18, 2025

Ms. Marlesha Minet
[REDACTED]
[REDACTED]

RE: SPEED REDUCTION REQUEST
ROUTE 174
TOWN OF MARCELLUS

Dear Ms. Minet:

This is in further response to your request for a speed reduction on Route 174, in the town of Marcellus. New York State Department of Transportation safety staff have completed their study.

Based on the existing roadside development, crash analysis, test drives, and radar analysis, our investigation determined that lowering the speed limit to 45 MPH would be appropriate at this time. The signs will be installed by NYSDOT maintenance staff as soon as the materials are procured, and as their work schedule permits.

Your interest in transportation safety is greatly appreciated. If you have any questions, please contact Nadia Vedder-Brearton in our office at (315) 428-4380.

Very truly yours,

Original signed by
Scott R. Bates, P.E., PTOE

Scott R. Bates, P.E., PTOE
Regional Traffic Engineer

SRB:NVB:JDF

bc: C. Rafuse, Onondaga West Residency
N. Vedder-Brearton, Traffic Safety & Mobility Group
Sgt. P. Carner, NY State Police
Town of Marcellus

Supervisor
Laurie Stevens

Councillors
Percy Clarke
Jeff Berwald
Terry Hoey
Gabe Hood

Town Clerk
Rosemary Tozzi

Tax Collector
Sandy Taylor

Highway Superintendent
Michael Ossit



MARCELLUS

— New York —

September 29, 2025

Linda LeMura, Ph.D. and Randall Wolken
Regional Co-Chairs
Central New York REDC
620 Erie Blvd. W.
Suite 112
Syracuse, NY 13204

Re: Village of Marcellus, 2025 NY Forward Grant Application

Dear Dr. LeMura and Mr. Wolken,

I am happy to express my support for the Village of Marcellus's application to the NY Forward (NYF) grant program. The NYF program aims to reinvigorate and transform the main streets and central business districts of small communities across New York State. The Village is prepared to utilize this funding to further its goal of ensuring the community maintains its close-knit historic roots while acting as a destination for New Yorkers to live, work, and play.

The Village of Marcellus's application focuses on revitalization efforts that will build upon recent infrastructure and green energy improvements along the Village's Main Street and align the NYF effort with their comprehensive planning process. The Village's Central Downtown corridor is a mixed-use district featuring historic properties, community organizations, churches, and local businesses. However, periods of disinvestment have left this downtown area fragmented and infrastructure unreliable. Through a NYF, the Village will undertake comprehensive enhancements to the downtown, enhancing economic opportunity to create a vibrant mixed-use district, improving multi-modal connectivity and streetscaping, and facilitating the expansion of needed services and businesses.

The Village of Marcellus is confident in their ability to reach our goals and prepared for the transformative change that New York Forward funding will bring. I look forward to seeing this application come to fruition!

Sincerely,

Laurie Stevens
Marcellus Town Supervisor

The Village of Marcellus's application focuses on revitalization efforts that will build upon recent infrastructure and green energy improvements along the Village's Main Street and align the NYF effort with their comprehensive planning process. The Village's Central Downtown corridor is a mixed-use district featuring historic properties, community organizations, churches, and local businesses. However, periods of disinvestment have left this downtown area fragmented and infrastructure unreliable. Through a NYF, the Village will undertake comprehensive enhancements to the downtown, enhancing economic opportunity to create a vibrant mixed-use district, improving multi-modal connectivity and streetscaping, and facilitating the expansion of needed services and businesses.



September 17, 2025

Rosemary Tozzi, Town Clerk
Marcellus Town Hall
22 East Main Street
Marcellus, NY 13108

***Games of Chance Identification Number Granted
Baltimore Woods Nature Center, Inc.***

Dear Rosemary Tozzi,

Please be advised that the NYS Gaming Commission has assigned the following Games of Chance Identification Number to the above captioned organization:

GC 31-211-830-10458

Pursuant to Commission Rules 4602 and 4603, every municipal clerk must investigate each applicant for licensure before completing Form GC-4 and issuing a games of chance license on Form GC-5. After the license is granted, the original is to be mailed directly to the organization, a copy of the application, Forms GC-4 and GC-5 are to be provided to the Commission and a complete copy retained for your files. Keep in mind that the raffle program may not require a license depending on the anticipated net proceeds from the conduct of the proposed raffle, by the organization (see the municipal clerk's guide on the Commission's website for further details).

A copy of the organization's *1A Application for Registration and Identification Number* and supporting documentation is enclosed for your records. Do not hesitate to contact the Commission's Division of Charitable Gaming should you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Stacy Harvey", written over a horizontal line.

Stacy Harvey
Director, Division of Charitable Gaming

Enc.



September 17, 2025

Whitney Lash-Marshall, Executive Director
Baltimore Woods Nature Center, Inc.
PO Box 133
Marcellus, New York 13108

***Games of Chance Identification Number Granted
Baltimore Woods Nature Center, Inc.***

Dear Whitney Lash-Marshall,

The captioned organization's request for a games of chance identification number is approved by the NYS Gaming Commission ("Commission"). The following games of chance identification number is assigned to ***Baltimore Woods Nature Center, Inc.***:

GC 31-211-830-10458

As the organization indicates that it is domiciled in Marcellus, the municipal licensing authority for the organization is the Town of Marcellus Clerk. For a complete copy of the Commission's statutes, rules, regulations, forms and guidelines, please visit the Commission website at www.gaming.ny.gov.

Do not hesitate to contact the NYS Gaming Commission, Division of Charitable Gaming, should you have any additional questions or concerns.

Sincerely,

Stacy Harvey
Director, Division of Charitable Gaming

cc: Town of Marcellus Clerk

Chapter 119. Games of Chance

[HISTORY: Adopted by the Town Board of the Town of Marcellus 3-3-1979 by L.L. No. 1-1979; amended in its entirety at time of adoption of Code (see Ch. 1, General Provisions, Art. I). Subsequent amendments noted where applicable.]

§ 119-1. Authorization; license required.

It shall be lawful for any authorized organization, upon obtaining a license as provided in Article 9-A of the General Municipal Law, to conduct games of chance within the Town of Marcellus, subject to the provisions of this chapter, Article 9-A of the General Municipal Law and the New York State Gaming Commission.

§ 119-2. Sundays; holidays;

The conduct of games of chance on Sunday is permitted only when it is specifically provided for in the license issued, and then only between the hours of 12:00 noon and 12:00 midnight. No games of chance, however, shall be conducted on Easter Sunday or Christmas Day.

§ 119-3. Enforcement.

The Town Supervisor of the Town of Marcellus shall exercise control over and supervision of all games of chance.

§ 119-4. Summary license applications.

Pursuant to General Municipal Law § 190, Subdivision 3, certain "repeat" authorized organizations may submit summary applications.

§ 119-5. When effective.

This amended chapter shall be effective 30 days following enactment.

General Municipal Law Article 9-A Section 188-A

Powers and duties of the board

The board shall have the power and it shall be its duty to:

1.

Supervise the administration of the games of chance licensing law and to adopt, amend and repeal rules and regulations governing the issuance and amendment of licenses thereunder and the conducting of games under such licenses, which rules and regulations shall have the force and effect of law and shall be binding upon all municipalities issuing licenses, and upon licensees of the board, to the end that such licenses shall be issued to qualified licensees only, and that said games shall be fairly and properly conducted for the purposes and in the manner of the said games of chance licensing law prescribed and to prevent the games of chance thereby authorized to be conducted from being conducted for commercial purposes or purposes other than those therein authorized, participated in by criminal or other undesirable elements and the funds derived from the games being diverted from the purposes authorized, and to provide uniformity in the administration of said law throughout the state, the board shall prescribe forms of application for licenses, licensees, amendment of licenses, reports of the conduct of games and other matters incident to the administration of such law.

2.

Conduct, anywhere in the state, investigations of the administration, enforcement and potential or actual violations of the games of chance licensing law and of the rules and regulations of the board.

3.

Review [sic] all determinations and actions of the clerk or department in issuing an initial license and it may review the issuance of subsequent licenses and, after hearing, revoke those licenses which do not in all respects meet the requirements of this article and the rules and regulations of the board.

4.

Suspend or revoke a license, after hearing, for any violation of the provisions of this article or the rules and regulations of the board.

5.

Hear appeals from the determinations and action of the clerk, department or officer in connection with the refusing to issue licenses, the suspension and revocation of licenses and the imposition of fines in the manner prescribed by law and the action and determination of the

board upon any such appeal shall be binding upon the clerk, department or officer and all parties thereto.

6.

Carry on continuous study of the operation of the games of chance licensing law to ascertain from time to time defects therein jeopardizing or threatening to jeopardize the purposes of this article, and to formulate and recommend changes in such law and in other laws of the state which the board may determine to be necessary for the realization of such purposes, and to the same end to make a continuous study of the operation and administration of similar laws which may be in effect in other states of the United States.

7.

Supervise the disposition of all funds derived from the conduct of games of chance by authorized organizations not currently licensed to conduct such games.

8.

Issue an identification number to an applicant authorized organization if it shall determine that the applicant satisfies the requirements of the games of chance licensing law and the rules and regulations of the board.

9.

The board shall have the power to approve and establish a standard set of games of chance equipment and shall by its rules and regulations prescribe the manner in which such equipment is to be reproduced and distributed to licensed authorized organizations. The sale or distribution to a licensed authorized organization of any equipment other than that contained in the standard set of games of chance equipment shall constitute a violation of this section.

Source: Section 188-A — Powers and duties of the board, <https://www.nysenate.gov/legislation/laws/GMU/188-A> (updated Sep. 22, 2014; accessed Sep. 20, 2025).