

Marcellus Town Board  
 Regular Meeting  
 Wednesday, February 5, 2025  
 6:30 PM

A Regular Meeting of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, February 5, 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: Jim Gascon, Town Attorney; Mike Ossit, Highway Superintendent; Don MacLachlan, Recreation Director; Gary and Linda Wilcox, Don and Paula Stillwell, Aidan and Claudia Hastings, Tim and Erica Leubner, Bill Southern, Steven Bolewski, Dave Card, Fire Department; Patrick Rothery, Fire Department; Mallory Zabinski, Gerri Stearns, Chad Clark, Village Mayor; Lucy Meyers, 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 January 8, 2025, Organizational Meeting, January 8, 2025, Town Board Meeting and January 22, 2025, Workshop Meeting.

Ayes – Berwald, Clarke, Hoey and Stevens Carried

**Monthly Activity:** The abstract of Audited Vouchers for February 5, 2025, given to the Board Members as submitted by the Town Clerk. Abstract #2 as of January 31, 2025. Claim #s 157650-157690.

	<u>Expenses</u>
General Fund	\$22,474.08
Part Town General	469.01
Townwide Highway	93,239.24
Total	\$116,182.33

Board Members were given the Activities Report as of January 31, 2025. Fiscal year 2024 Period 12.

	<u>Revenue</u>	<u>Expense</u>
General Fund	(1,753,216.11)	1,439,124.82
Part Town General	( 216,768.78)	190,945.92
Townwide Highway	( 650,784.69)	465,272.93
Part Town Highway	( 376,837.54)	277,968.23

Fire District	( 398,791.85)	390,876.00
Hydrant Fund	( 3,082.09)	3,227.00
Ambulance Fund	( 313,384.82)	313,365.00
Sewer District	( 195,954.06)	195,952.00
Water District	( 182,045.55)	185,269.00

**Bank Balances:**

The total of all Bank Balances for December 2024 are \$3,534,236.79

Councilor Hoey made a motion seconded by Councilor Berwald to approve the Abstract of Audited Voucher Reports as of January 31, 2025, the Activities Report as of January 31, 2025, and the Bank Balances of December 2024.

Ayes – Berwald, Clarke, Hoey and Stevens Carried

**Public Hearing- Local Law C-2024 Outdoor Concerts:** The purpose of this Local Law is to amend Chapter 235 of the Code of the Town of Marcellus pertaining to the uses allowed within the Town’s Zoning Districts and to specifically allow outdoor concerts subject to the receipt of a special permit for same, such that the Town may allow outdoor concerts, but in a manner that preserves the health, safety and welfare of the Town. Supervisor Stevens opened the floor to any questions or comments from the public.

Lucy Meyers asked for clarification regarding outdoor concerts and if it would apply to bars, restaurants and parks.

Jim Gascon responded, informing her that this proposed law only applies to the A1 district. It’s intended to bring the Town current with agritourism and the future potential expansion of agricultural events. It is also subject to a special permit, which would require approval of a site plan, approval by the Planning Board and the granting of a special permit by the Zoning Board of Appeals.

Bill Southern pointed out that there is a difference between a use variance and a special permit. A use variance is more difficult to grant and would be needed if a bar outside the A1 district wanted to have an outdoor concert.

Erica Leubner acknowledged that the proposed Local Law is keeping in line the State Agriculture and Markets guidelines that has been in place for serval decades. It gives farms an opportunity to have music to promote agriculture activities.

Steven Bolewski recommended that the proposed Local Law be revised to include a mandatory mailed notification to neighbors’ properties located within 1500 feet of the property proposing a special use permit to hold outdoor concerts. He would like the notification to include the location, time and date of the Zoning Board of Appeal meeting that the special application will be presented.

Jim Gascon responded, that when the Town passes a Local Law, it is all done in the open. A notice of public hearing is posted in the newspaper and on the Town’s website. A public hearing is held for all residents to attend where they have the right to voice their concerns. The Town follows the same protocol for all Local Laws.

Councilor Clarke made a motion seconded by Councilor Berwald to close the public hearing at 6:41pm.

Ayes – Berwald, Clarke, Hoey 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:** The Town and Village have been in discussion regarding the sewer contract. The Town did inquire with the County to go back onto the countywide system as in the past. Due to new rules, it will need to go through legislation before an agreement can be signed between the County and Town. The Town of Marcellus has agreed to sign a one-year sewer contract with the Village. At that point a new contract will be reached with the Village, the rate will be based on transmission only and not the maintenance line as well.

Councilor Hoey made a motion seconded by Councilor Berwald to authorize Supervisor Stevens to sign the intermunicipal agreement with the Village for the 2025 sewer contract.

Ayes – Berwald, Clarke, Hoey and Stevens Carried

**Parks and Recreation Budget Adjustment:** Don MacLachlan has requested a budget adjustment in the amount of \$30,000.00. The funds will be transferred from the fund balance to the general ledger account 7110.2. The money will be used to purchase a tractor and mower for the Parks Department. Councilor Clarke made a motion seconded by Councilor Berwald to approve the budget adjustment of \$30,000.00 to account 7110.2.

Ayes – Berwald, Clarke, Hoey and Stevens Carried

**New Business:**

**CNY Cars and Coffee:** Don and Paula Stillwell have requested permission from the Town Board to continue CNY Cars and Coffee. It's a car cruise at Marcellus Park in the Creek Hollow parking lot on Saturday mornings between 8:30am to 10:30am. The cruise will start April 26<sup>th</sup> and end October 4<sup>th</sup> for 2025.

Councilor Hoey made a motion seconded by Councilor Berwald to approve CNY Cars and Coffee to continue the car cruise on Saturday mornings in the park.

Ayes – Berwald, Clarke, Hoey and Stevens Carried

**2025 Spring Trash Days:** Spring Trash Days will be held on Friday, April 25<sup>th</sup> and Saturday April 26, 2025, 8:00am-12:00pm and Friday, May 2<sup>nd</sup> and Saturday May 3, 2025, 8:00am-12:00pm. Permits are required for the trash days and can be purchased at the Town Clerk's office during normal business hours Monday-Friday 8:30am-4:00pm. A one-day shred event is scheduled for April 26<sup>th</sup>, at no charge for this service. Electronics will be accepted during spring trash days only at no additional fee.

Councilor Hoey made a motion seconded by Councilor Berwald to approve the dates of Spring Trash days.

Ayes – Berwald, Clarke, Hoey, and Stevens Carried

**Fire Department Financials:** The Marcellus Fire Department turned in their financial statement expenses for the period of January 1, 2024, through December 31, 2024, and an expense report by payee for the period of December 1, 2024, to December 31, 2024. The Fire Department had \$16,516.59 remaining in the contract checking account at the end of the 2024 budget year. The money was distributed to the following accounts \$2,588 to Building Reserve with a new balance of \$36,195, \$3,928.59 to Truck Reserve

with a new balance of \$340,420 and \$10,000 to Capital Reserve which is a new account with a balance of \$10,000.

**Crystal Ball Cruise and After Party:** Gerri Stearns, Grant Committee Chairperson asked the Town Board to donate \$500.00 towards the hypnotist for the after-ball party.

Councilor Hoey made a motion seconded by Councilor Clarke to approve the request to donate \$500.00 for the after-ball party.

Ayes – Berwald, Clarke, Hoey and Stevens

Carried

**Siemens Fire Alarm Monitoring 2025 Contract:** A renewal contract for fire protection monitoring services. The contract is for a term of March 1, 2025- February 28, 2026. It is the same contract as last year. The total cost of the contract is \$2,231.64.

Councilor Hoey made a motion seconded by Councilor Clarke to approve Supervisor Stevens to sign the Siemens contract.

Ayes – Berwald, Clarke, Hoey and Stevens

Carried

**Olde Home Days:** The Marcellus Rotary Club requested use of Marcellus Park, 2443 Platt Road, Marcellus, NY for the annual Olde Home Days. The event will be held June 6-8, 2025. The Rotary Club requested the upper Marcellus Park, including the baseball diamond, be reserved from Monday, June 2<sup>nd</sup> through Monday, June 9<sup>th</sup> so the rides can be set up. They have also requested that all Marcellus Park, upper and lower, including pavilions, athletic fields, and Welcome Center be reserved Friday, June 6<sup>th</sup> through Sunday, June 8<sup>th</sup> for the Olde Home Days Celebration.

Councilor Clarke made a motion seconded by Councilor Berwald to allow the Rotary Club to use the Marcellus Park for Marcellus Olde Home Days June 6-8, 2025, and reserve the park June 2, 2025- June 9, 2025.

Ayes – Berwald, Clarke, Hoey and Stevens

Carried

**Department Reports:**

**Codes:** All Pest of Syracuse has reported that the rat infestation located on Dublin Road has been taken care of. The entire property including crawl space and attic was inspected and there is no sign of rats. The keys have been handed over to the owner.

**Highway:** Mike Ossit, Highway Superintendent reported the Park building keys have been replaced.

**Parks/Rec:** Don MacLachlan, Recreation Director, will be contacting BOCES to come to Marcellus Park to inspect the playgrounds. It should be done yearly. Don reports that the new recreation attendant Michele is doing a great job. Don is also looking for some directions from the Town Board as to how many benches and trees should be allowed in the park.

**Town Clerk:** Rosemary Tozzi, Town Clerk; Presented the monthly report for January 2025

Dog Licensing \$355.00

Certified Copies-Marriage \$20.00

Returned Check Fee \$20.00

Passport \$420.00

Conservation \$1.66

Building \$363.00

**Discussion Agenda:**

**Fire Department:** Dave Card reminded the Town Board about the Fire Department Banquet. He is hoping some of the Board members will attend.

Patrick Rothery introduced himself to the Town Board. He is the new Fire Department Chief.

**Adjournment:** Councilor Hoey made a motion seconded by Councilor Berwald to adjourn the meeting at 7:01pm.

Ayes – Berwald, Clarke, Hoey and Stevens

Carried

Respectfully submitted,

Rosemary Tozzi  
Town Clerk