

Marcellus Town Board
Regular Meeting
Wednesday, April 2, 2025
6:30 PM

A Regular Meeting of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, April 2, 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; Gary and Linda Wilcox, Tom Lathrop, Caitlyn Sammon, Jeri Byrne, Bill Southern, Donna Nolan, Coner Wierbinski, Jillian Herholtz, Jay Wright, Nathan Millett, Dave Card, Fire Department; Bobby Mayers, Fire Department; John Pawlewicz, Suzanne Tobin, Deputy Town Clerk; Rosemary Tozzi, Town Clerk

Waive the Reading and Accept the Minutes: Councilor Hoey 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 March 5, 2025, Town Board Meeting and March 19, 2025, Workshop Meeting.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

Monthly Activity: The abstract of Audited Vouchers for April 2, 2025, given to the Board Members as submitted by the Town Clerk. Abstract #4 as of March 28, 2025. Claim #s 157904-157929.

	<u>Expenses</u>
General Fund	\$10,241.01
Townwide Highway	19,669.23
Fire District	87,483.50
Total	\$117,393.74

The abstract of Audited Vouchers for April 3, 2025, given to the Board Members as submitted by the Town Clerk. Abstract #4 as of April 2, 2025. Claim #s 157939-157956.

	<u>Expenses</u>
General Fund	\$6,769.06
Part Town General Fund	347.80
Townwide Highway	7,574.82
Sewer District	51,033.00
Total	\$65,724.68

Board Members were given the Activities Report as of March 26, 2025. Fiscal year 2025 Period 3.

	<u>Revenue</u>	<u>Expense</u>
General Fund	(1,845,256.90)	374,878.01
Part Town General	(207,355.37)	45,084.49
Townwide Highway	(569,211.71)	202,219.45
Part Town Highway	(108.35)	9,467.15
Fire District	(438,197.88)	115,633.00
Hydrant Fund	(3,311.01)	1,825.69
Ambulance Fund	(311,760.92)	155,878.00
Sewer District	(52,999.79)	51,033.00
Water District	(164,803.29)	86,028.27

Bank Balances:

The total of all Bank Balances for February 2025 are \$6,392,299.18

Councilor Clarke made a motion seconded by Councilor Berwald to approve the Abstract of Audited Voucher Reports for April 2, 2025, April 3, 2025, and the Activities Report as of March 26, 2025, and the Bank Balances of February 2025.

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.

Recommended Changes to Lot and Building Limitations- Accessory Buildings: This topic has been tabled. Planning and Zoning is working with the Town attorney to finalize the recommendations.

New Business:

Friends of Marcellus Park: Donna Nolan, President of Friends of the Park requested a key to the Welcome Center. The organization uses the Welcome Center during different events held at the park. After some discussion the Town Board denied her request as it is the Town's policy that only Town employees are allowed to have keys to any Town building. If Friends of the Park needs access to the Welcome Center, they can contact a member of the park staff or the Recreation office. This new policy was put into effect when the Town had to replace all keys and locks due to not having all keys returned by pervious staff. This new policy will eliminate the possibility of keys being duplicated and unauthorized use of any Town building. The Friends of the park would also like to honor Phil Coccia, the previous Parks and Recreation Director for his many years of service. Phil retired at the end of 2024. Friends of the park would like to rename the Annex Pavilion the Phil Coccia Pavillion for his years of dedication to the Park. The Town Board agreed that it would be a great idea. Donna also asked the Town Board if it was ok if they built a sidewalk from the lower parking lot to the gazebo. The Park staff would help with the labor. The Town Board gave approval for the project.

Work Day Resolution for NYS Retirement System: Councilor Clarke made a motion seconded by Councilor Hood to approve the following work day resolution for the NYS retirement system.
Ayes – Berwald, Clarke, Hoey, Hood and Stevens
Carried

Office of the New York State Comptroller
NYSSLRS
New York State and Local Retirement System
110 State Street, Albany, New York 12244-0001
Please type or print clearly
in blue or black ink

Received Date

**Standard Work Day and
Reporting Resolution for
Elected and Appointed Officials**

Employer Location Code

3 0 4 2 0

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

RS 2417-A

(Rev.12/23)

BE IT RESOLVED, that the Town of Marcellus / 30420 hereby established the following standard work days for these titles and will report the officials to the New York State and Local Retirement based on their record of activities:

Name	Social Security Number	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
Elected Officials:									
Mary R. Dailey			Town Justice	1/1/2024-12/31/2027	6	5.33	<input type="checkbox"/>	Monthly	<input type="checkbox"/>
Daniel Falge			Town Justice	1/1/2024-12/31/2027	6	4.06	<input type="checkbox"/>	Monthly	<input type="checkbox"/>
Rosemary Tozzi			Town Clerk	1/1/2024-12/31/2027	7.5	21.36	<input type="checkbox"/>	Monthly	<input type="checkbox"/>
Appointed Officials:									
Jeffrey Lowe			Town Assessor	3/14/22-9/30/2025	6	3.56	<input type="checkbox"/>	Monthly	<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>

I, Rosemary Tozzi, secretary/clerk of the governing board of the Town of Marcellus, of the State of New York,
(Name of Secretary or Clerk) (Circle one) (Name of Employer)

do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 2 day of April, 2025 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Marcellus on this 3 day of April, 2025.
(Name of Employer)

(Signature of Secretary or Clerk)
Affidavit of Posting: I, Rosemary Tozzi being duly sworn, deposes and says that the posting of the Resolution began on April 3, 2025 and continued for at least 30 days. That the Resolution was available to the public on the:
(Name of Secretary or Clerk) (Date)

- Employer's website at: https://marcellusny.com
Official sign board at: Town Hall
Main entrance Secretary or Clerk's office at: 22 E Main Street, Marcellus, NY 13108

Page 1 of 2 (for additional rows, attach a RS 2417-B form.)

(seal)

Office of the New York State Comptroller
NYSSLRS
New York State and Local Retirement System
110 State Street, Albany, New York 12244-0001
Please type or print clearly
in blue or black ink

Received Date

**Standard Work Day and Reporting
Resolution for Elected and
Appointed Officials Continuation Form**

RS 2417-B

(Rev.04/20)

Name	Social Security Number	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
Elected Officials:									
Michael Ossit			Highway Superintendent	1/1/2024-12/31/2027	8	29.21	<input type="checkbox"/>	Monthly	<input type="checkbox"/>
Laurie Stevens			Town Supervisor	1/1/2024-12/31/2025	6	13.22	<input type="checkbox"/>	Monthly	<input type="checkbox"/>
Gabriel Hood			Town Councilor	1/1/2022-12/31/2025	6	0.77	<input type="checkbox"/>	Monthly	<input type="checkbox"/>
Jeffrey Berwald			Town Councilor	1/1/2024-12/31/27	6	1.30	<input type="checkbox"/>	Monthly	<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>

Fire Department Service Awards Referendum Resolution:

**TOWN OF MARCELLUS
TOWN BOARD RESOLUTION
April 2, 2025**

By a motion duly made by Councilor Hood, and duly seconded by Councilor Clarke, the following Resolution was put before the Town Board of the Town of Marcellus for its consideration:

WHEREAS, eligible voters residing in the Town of Marcellus (the “Town”) approved a referendum to establish a defined contribution Length of Service Award Program (“LOSAP”) for active volunteer firefighter members of the Marcellus Fire Department, effective October 1, 2011, in accordance with Article 11-A of the New York State General Municipal Law (“GML”);

WHEREAS, the Town is the LOSAP Sponsor and Program Administrator; and

WHEREAS, GML § 216 authorizes the Town to amend the LOSAP; and

WHEREAS, now, the Town Board of the Town of Marcellus has reviewed a proposal submitted by the Marcellus Fire Department to amend the current service award program for the volunteer firefighters of the Marcellus Fire Department; and

WHEREAS, the Town Board of the Town of Marcellus desires to amend the defined contribution plan as such plan is described in General Municipal Law §218; and

WHEREAS, an active volunteer firefighter currently earns Seven Hundred and No/100 Dollars (\$700.00) for each year of firefighting service rendered; and

WHEREAS, that the entitlement age for each participating firefighter is currently sixty-five (65) years of age; provided, however, if any active volunteer firefighter becomes disabled as described in GML §218(d), the firefighter is entitled to receive his or her service award benefits regardless of age or length of service and such benefits will begin as provided in GML §218(d); and

WHEREAS, the increase permitted by this resolution is consistent with the intent of the LOSAP to recruit, retain and reward active volunteer firefighters.

NOW, THEREFORE BE IT

RESOLVED, that the contribution for each participating active volunteer firefighter shall be One Thousand Two Hundred and No/100 Dollars (\$1200.00) for each qualifying year of firefighting service rendered on and after January 1, 2026; and be it further

RESOLVED, that the entitlement age for each participating firefighter shall be fifty-five (55) years of age; provided, however, if any active volunteer firefighter becomes disabled as described in GML §218(d), the firefighter shall be entitled to receive his or her service award benefits regardless of age or length of service and such benefits shall begin as provided in GML §218(d); and be it further

RESOLVED, that this resolution is subject to a mandatory referendum of qualified voters of the Town of Marcellus and said referendum shall be held on November 4, 2025, at Marcellus Fire Station, located at 4242 Slate Hill Road, Marcellus, New York and Marcellus Senior High School, located at 1 Mustang Hill, Marcellus, New York, in the Town of Marcellus; be it further

RESOLVED, that Proposition Number One to be voted upon at said election shall read as follows:

“SHALL THE ANNUAL CONTRIBUTION OF THE TOWN OF MARCELLUS FOR THE MARCELLUS VOLUNTEER FIRE DEPARTMENT LENGTH OF SERVICE AWARDS PROGRAM (LOSAP) OF SEVEN HUNDRED DOLLARS (\$700.00) BE INCREASED BY FIVE HUNDRED DOLLARS (\$500.00) TO THE AMOUNT OF ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00), PER QUALIFYING MEMBER, ANNUALLY?”; and be it further

RESOLVED, that Proposition Number Two to be voted upon at said election shall read as follows:

“SHALL THE AGE OF MATURITY OF THE FUNDS FOR THE MARCELLUS VOLUNTEER FIRE DEPARTMENT LENGTH OF SERVICE AWARDS PROGRAM (LOSAP) BE REDUCED FROM 65 YEARS OLD TO 55 YEARS OLD?”; and be it further

RESOLVED, that no later than ten days before said election, this proposition shall be published once in the Marcellus Press-Observer and that a copy thereof shall be posted on the official sign-board of the Town of Marcellus maintained in accordance with New York Town Law §30(6); and be it further

RESOLVED, that the LOSAP shall continue to be administered by the Town and that all other provisions of the LOSAP shall remain the same; and be it further

RESOLVED, that upon such approval at referendum, the Supervisor of the Town of Marcellus shall be and is hereby authorized to execute necessary documents, including documents adopting the program and its related Trust and make such permitted changes in the Program not inconsistent with the terms of Article 11-A of the General Municipal Law and thus enabling referendum as she determines to be appropriate; and be it further

RESOLVED, that notwithstanding anything provided to the contrary, this Resolution shall not be effective unless and until the Town Board receives a certified copy of a Resolution of the Marcellus Fire Department in which the Marcellus Fire Department agrees to perform any and all obligations placed upon it under the terms of this Resolution and/or the General Municipal Law.

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: April 2, 2025

Highway Computer- Electronics for Recycling: The Town Highway Department's computer stopped working and needs to be replaced. Pete Knowles, IT personnel, declared the computer damaged/broken. It will be disposed of during the spring trash days. Councilor Berwald made a motion seconded Councilor Hood to declare the computer damaged/broken. Ayes – Berwald, Clarke, Hoey, Hood and Stevens Carried

Department Reports:

Codes: John Houser, Codes Officer has contacted three companies for quotes to demolish the trailer on Pleasant Valley Road, only one company has showed interest and responded with a quote. This topic will be discussed further at the next meeting on April 23, 2025. John also informed the Town Board that the house destroyed by fire on Falls Road is currently being dealt with by the home owner and insurance company.

Highway: The Highway Department was able to secure more road salt. The last shipment has been delivered and there will be no need for more this season.

Parks/Rec: The Recreation Department is working with the Marcellus School District to secure the summer recreation programs within the schools.

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

Dog Licensing \$684.00

Dog Impoundment Fee: \$66.00

Certified Copies-Marriage \$20.00

FOIL: \$4.50

Passport \$35.00

Conservation \$12.16

Freon Removal Permit: \$15.00

Haulers Permit \$100.00

Marriage License Fee: \$17.50

Trash Permit- One Trip: \$15.00

Mattress: \$75.00

Trash Permit-Trailer: \$150.00

Tire: \$7.00

Trash Permit- Six Trip: \$500.00

Trash Permit- Truck: \$240.00

Building \$826.00

Zoning Fees: \$100.00

Discussion Agenda:

Fire Department Financials: Dave Card turned in the financials for March. The topic will be on the April 23, 2025, agenda.

Fire Department: The Fire Department's pancake breakfast was a success.

Councilor Berwald asked when the current audit should be completed. Dave informed the Town Board it should be completed by the end of this month.

Bill Southern inquired if the Town has any interest or plans to have a Facebook page. It was discussed but no decision was made.

Adjournment: Councilor Hood made a motion seconded by Councilor Berwald to adjourn the meeting at 7:00pm.

Ayes – Berwald, Clarke, Hoey, Hood and Stevens

Carried

Respectfully submitted,

Rosemary Tozzi
Town Clerk