

Town of Marcellus
Board Meeting
Wednesday, February 4, 2026
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. 2025 Court Audit

III. New Business

- A. Fire Department Grant- NYS DHSES
- B. 2026 Spring Trash Days
- C. Marcellus Vet Health Assessment- Dog Control
- D. Marcellus Park staff resignation
- E. CNY Stormwater Resolution- Service and Education Program
- F. Marcellus Olde Home Days

V. Reports From Department Heads

- A. Codes
- B. Highway
- C. Parks/Rec
- D. Town Clerk - Monthly Report

VI. Discussion Agenda

- A. Fire Department

VII. Adjournment

Future Meeting Dates

Workshop Meeting- Wednesday, February 18, 2026- 6:30 pm- Town Hall
Planning/Zoning Meeting-Monday, March 2, 2026 - 6:30 pm- Town Hall
Town Board Meeting- Wednesday, March 4, 2026- 6:30 pm- Town Hall
Workshop Meeting- Wednesday, March 18, 2026- 6:30 pm- Town Hall

Marcellus Town Board
Organizational Meeting
Friday, January 2, 2026
4:00 PM

The Organizational Meeting of the Town of Marcellus, County of Onondaga, State of New York was held on Friday, January 2, 2026, in the Town Hall, 22 East Main Street, Marcellus, New York.

Present: Jane Attley	Supervisor
Jeff Berwald	Councilor
Terry Hoey	Councilor
Karen Pollard	Councilor

Also present: James Gascon, Town Counsel; Mike Ossit, Highway Superintendent; Don MacLachlan, Recreation Director; John Houser, Codes Officer; Percy Clarke, Linda Wilcox, Krissy Lanning, Jeremy Perry, Bill Southern, Jim Rossiter, Denis Donovan, Stephanie Donovan, Mallory Zabinski, Lisa MacLachlan, Sandy Taylor, Tim and Erica Leubner, Mike and Tara Lanning, Claudia Hastings, Suzanne Tobin, Deputy Town Clerk; Rosemary Tozzi, Town Clerk

A. Appointment of Town Board Councilor: Supervisor Attley stated at this time this topic would be tabled as questions still needed to be answered. **Mr. Gascon** then addressed the public "We have a very unique legal situation that has arisen due to the untimely death of Gabe Hood. State law indicates if there's a vacancy that occurs before September of any given year the board may appoint a replacement and then the position is up for election at the next November election cycle. Unfortunately, Gabe's vacancy didn't occur before September. It occurred after September, according to state law. Then the appointment would be made until the end of that person's term, and an election would be held to replace that person. We also have the unique situation that Gabe's term, the term that he was in terminated on December 31, 2025. So, we have a case of first impression wherein we have a vacancy. You have a board member who's re-elected for a new term, which does not commence until January 1, 2026, who then passes away before the end of his previous term. So, we have a unique situation and based on the research that we've done, there is no case law, whether it's occurred in the past or not, it's never been litigated. There's no case law that directs us in the right direction. So, the board can be conservative and to be cautious to make sure we're not misstepping and we're not making a mistake. The board has agreed to table this particular issue and has directed me to seek guidance from the Attorney General of the State of New York on how to handle this."

Councilor Berwald added that the Town Board must go this route because both parties cannot come to an agreement.

Councilor Pollard made a motion seconded by Supervisor Attley to table the appointment of a Town Board Councilor. The Board was divided, roll call was taken:

Supervisor Attley- Aye

Councilor Berwald – Nay

Councilor Hoey- Aye

Councilor Pollard- Aye

Carried

B. Meeting Rules & Procedures: The Board was presented with the Meeting Rules & Procedures pamphlet.

Councilor Berwald made a motion seconded by Councilor Pollard to approve the meeting rules and procedures.

Ayes- Attley, Berwald, Hoey and Pollard

Carried

C. Town Board Meeting Schedule: The meeting schedule for 2026 will be the first and third Wednesdays of the month at 6:30 pm. The Year-End Meeting will be held on Monday, December 28, 2026.

2026 Schedule:

January 02 Organizational Meeting
 07 Monthly Meeting
 21 Workshop Meeting

February 04 Monthly Meeting
 18 Workshop

March 04 Monthly Meeting
 18 Workshop

April 01 Monthly Meeting
 15 Workshop

May 06 Monthly Meeting
 20 Workshop

June 03 Monthly Meeting
 17 Workshop

July 01 Monthly Meeting
 15 Workshop

August 05 Monthly Meeting
 19 Workshop

September 02 Monthly Meeting
 16 Workshop

October 07 Monthly Meeting
 21 Workshop

November 04 Monthly Meeting

18 Workshop

December 02 Monthly Meeting

16 Workshop

28 End of Year Meeting

D. Holiday Schedule – Town Hall Closed:

New Year's Day

Martin Luther King's Birthday

President's Day

Good Friday

Memorial Day

Juneteenth

Fourth of July

Labor Day

Columbus Day

Veterans Day

Thanksgiving Day

Friday after Thanksgiving

Christmas Day

E. Official Bank: Solvay Bank will continue as the official bank for the depository for all monies from the Town Supervisor, Town Clerk, Tax Collector and Court.

Councilor Hoey made a motion seconded by Councilor Berwald to approve the Town Board meeting schedule, Town Hall holiday schedule (office closure) and the official bank as Solvay Bank.

Ayes- Attley, Berwald, Hoey and Pollard

Carried

F. Town Investment Policy: Idle monies shall be invested at the designated bank of the Town either in Certificate of Deposit or any kind of Savings Account. The Town requests that the depository (Solvay Bank) protect these investments in the event they exceed FDIC coverage by pledging securities as collateral. The Collateral is to be held by a third party.

G. Petty Cash Accounts: Allow the Town Clerk to continue to have a petty cash fund of \$200; Recreation Department to continue to have a petty cash fund of \$200; this is to be administered by the Town Clerk, the Tax Collector to have a petty cash of \$100.00 and the Court Clerk to have petty cash of \$200.00

Councilor Hoey made a motion seconded by Councilor Berwald to approve the Town investment policy and petty cash.

Ayes- Attley, Berwald, Hoey and Pollard

Carried

H. Supervisor to Pay Bills: Authorize the Supervisor to pay utility bills, postage, and insurance prior to audit.

Town Clerk appointing Susan Dennis as a backup Deputy Town Clerk- 1/1/26-12/31/26
Highway Superintendent appointing Jeremy Perry as Deputy Highway Superintendent – 1/1/26-12/31/26

Tax Collector appointing Lori Petrocci as Deputy Tax Collector – 1/1/26-12/31/26

Dog Control Officer appointing James LaRose IV as Deputy Dog Control Officer 1/1/26-12/31/26

Councilor Pollard made a motion seconded by Councilor Hoey to approve the Advisory Appointments for 2026.

Ayes- Attley, Berwald, Hoey and Pollard Carried

3. Safety Committee: The Safety Committee will be John Houser, Mike Ossit, Jim Rossiter and Supervisor Jane Attley.

4. Department Liaisons: The following are appointed as liaisons for the Departments that are not run by an Elected Official:

MAVES- Supervisor Attley
Fire Department- Councilor Pollard
Codes- Councilor Hoey
Recreation- Councilor Berwald

Councilor Berwald made a motion seconded by Councilor Hoey to approve the safety committee members John Houser, Mike Ossit, Jim Rossiter and Supervisor Attley. The Department Liaisons are Supervisor Attley for MAVES, Councilor Pollard for the Fire Department, Councilor Hoey for Codes Department and Councilor Berwald for Recreation Department.

Ayes- Attley, Berwald, Hoey and Pollard Carried

N. Annual Salaries and Payment Schedule:

Salaries:

Supervisor-\$12,000

Town Justices (2) - \$15,411.50 each

Court Clerk - \$49,162

Deputy Court Clerk - \$18.00 per hour

Councilors (4) - \$6,500 each

Town Clerk - \$49,327

Deputy Town Clerk - \$19.10 per hour

Tax Collector - \$11,088

Bookkeeper - \$58,607

Budget Officer - \$3,800

Assessor - \$36,000

Clerk to Assessor - \$6,078

Parks & Recreation Director - \$18,000

Recreation Attendant - \$21.00 per hour

Dog Control Officer - \$10,325

Highway Superintendent - \$72,486

Deputy Highway Superintendent - \$29.40 per hour

Highway MEO - \$28.90 per hour

Codes Officer - \$61,104

Deputy Codes Officer - \$14,060

Councilor Berwald made a motion seconded by Councilor Hoey to approve the Annual Salaries and Payment Schedule for 2026.

O. Cell Phone Stipend:

Highway Superintendent - \$45/Month
Codes Officer - \$45/Month
Highway Employees - \$25/Month

P. Clothing Allowance:

Highway Employees - \$500/year per employee
\$100 per year for Park Employees for work boots
\$100 per year for Codes Officer for work boots

Councilor Hoey made a motion seconded by Councilor Berwald to approve the cell phone stipend and clothing allowance for 2026.

Ayes- Attley, Berwald, Hoey and Pollard **Carried**

Q. Contracts:

All contracts are available in the Town Clerk's Office for review during business hours

Marcellus Historical Society: \$5,000. This will help offset the cost of insurance and utilities related to operating expenses of the Steadman House.

Councilor Pollard recused herself from this vote as she is the treasurer of the Marcellus Historical Society.

Councilor Hoey made a motion seconded by Councilor Berwald to approve the 2026 contract with the Marcellus Historical Society.

American Legion: \$600. This is to provide Flags for the veteran grave sites in the three cemeteries in the Town. The Flags are to be placed prior to Memorial Day and removed within five (5) days after July 4, 2026.

Health/Loan Closet: \$500. This will help offset the costs of new equipment.

Ascap: \$500. Annual license fee for any music played at the park.

OCMBOCES: BOCES provides services and training for the Highway and Park Department. The services consist of health, safety, risk management and hazard communication. The 2026 contract price for services provided is \$2,200.

Councilor Berwald made a motion seconded by Councilor Hoey to approve the American Legion, Health/Loan Closet and OCMBOCES 2026 contracts.

Ayes- Attley, Berwald, Hoey and Pollard

Carried

Costello Cooney & Fearon, PLLC: The firm will provide general legal services for the Town of Marcellus during the calendar year 2026 on an hourly basis. General legal services will include attending all Town Board Meetings, Public Hearings and Executive Sessions, responding to day-to-day questions of Town Officials and preparing any necessary documents. Hourly services also include attendance at Grievance Day(s) if required, and providing all general legal services associated with the Board of Assessors. We will also provide legal counsel regarding: Litigation, including tax matters; Enforcement matters; Special District and bonding work; Legal work related to all special districts such as Sewer, Water and Lighting Districts; Environmental matters and enforcement; Matters before the Zoning Board of Appeals or the Planning Board; and Major non-routine projects (i.e., comprehensive plan, collective bargaining, labor and related matters other than routine telephone calls).

Our hourly fees will be \$210.00/per hour for attorneys and \$125.00/per hour for paralegals. Bills for these services will be itemized and provided on a monthly basis. Payment is due for these services within 30 days of the Town's receipt of the invoice.

Supervisor Attley asked to table this topic to review an alterative retainer contract with legal services with Costello Cooney & Fearon.

Councilor Berwald informed the Town Board the 2026 budget was based on the hourly contract with Costello Cooney & Fearon, PLLC. Councilor Berwald has concerns with Mr. Gascon acting as the Town Counsel as he is no longer a partner in the firm and will be acting as a consultant.

Councilor Berwald made a motion to have a partner from the firm Costello Cooney & Fearon replace Mr. Gason as Town Counsel.

Marcellus Resident, Denis Donovan: Asked why the counsel contract was being negotiated with Mr. Gascon and not Costello Cooney & Fearon as he is an employee of the firm and not listed on the contract. **Mr. Gascon** responded by informing Mr. Donovan he is a duly appointed representative of the law firm to the Town of Marcellus. Mr. Donovan said his question was directed at Supervisor Attley, she did not respond. Mr. Donovan has concerns that Counsel is running most of the meeting not the Supervisor and Town Board managing itself.

Supervisor Attley asked again for a motion to table this topic to review both contract options for legal services with Costello Cooney & Fearon.

Councilor Berwald again stated that the Town budgeted for the hourly contract not the monthly retainer fee.

Councilor Pollard stated with Supervisor Attley being new she may have more questions and will need to contact Mr. Gascon more frequently. The monthly retainer option might be more cost-effective than the hourly contract based on the current circumstances.

Mr. Gascon stated there are two motions one from Supervisor Attley, to table the contract regarding Costello Cooney & Fearon and the second was from Councilor Berwald to replace Mr. Gascon with a law firm partner. Councilor Berwald made his motion first.

Councilor Berwald made a motion to have a partner from the firm Costello Cooney & Fearon replace Mr. Gason as Town Counsel. There was no second to his motion. The motion failed.

Supervisor Attley asked for a motion to table this topic to review the hourly and retainer contracts with Costello Cooney & Fearon for legal services.

Councilor Berwald made a motion seconded by Councilor Pollard to table the discussion regarding the contract with Costello Cooney & Fearon for legal services.

Ayes- Attley, Berwald, Hoey and Pollard Carried

Marcellus Veterinary Hospital: Fees for housing, vaccinating and caring for stray dogs. No increase in fees for 2026.

Marcellus Library: The library will receive four payments of \$2,062.50. Total for 2026 will be \$8,250.00.

TDK: 2026 general service agreement. Based on prior work, services were separated into three general groupings as follows: TOWN MEETINGS We will attend town board, planning board and/or zoning board of appeals meetings, as requested by Town representatives for a fixed fee of \$510 per meeting. Please note that this fee is exclusive of any project-specific reviews, which have individual escrow account(s) established as part of the municipal review process. GENERAL ENGINEERING SERVICES We will perform general engineering services, as requested by Town representatives, on an hourly basis in accordance with our Standard Terms and Conditions. These services are for projects that are relatively minor in nature and are typically below an engineering budget of \$3,000. TOWN-SPECIFIC COMMUNITY IMPROVEMENT PROJECTS If requested, we will provide the Town with an estimated engineering budget for specific community improvement projects that exceed an engineering budget of \$3,000.

Councilor Berwald made a motion seconded by Councilor Pollard to approve the Marcellus Veterinary Hospital, Marcellus Library and TDK contract.

Ayes- Attley, Berwald, Hoey and Pollard Carried

Councilor Berwald made a motion seconded by Councilor Hoey to adjourn the Organizational Meeting at 4:46 pm.

Ayes- Attley, Berwald, Hoey and Pollard Carried

Respectfully submitted,

Rosemary Tozzi
Town Clerk

Marcellus Town Board
Board Meeting
Wednesday, January 7, 2026
6:30 PM

A Regular Meeting of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, January 7, 2026, in the Town Hall, 22 East Main Street, Marcellus, New York.

Present:	Jane Attley	Supervisor
	Jeff Berwald	Councilor
	Percy Clarke	Councilor
	Terry Hoey	Councilor
	Karen Pollard	Councilor

Also Present: James Gascon, Town Counsel; Don MacLachlan, Park and Recreation Director; Bill Southern, Linda Wilcox, Scott Stearns, Chris Christensen, Dave Card, Fire Department; Bill Southern, Art Hudson, Nancy Hudson, Patricia Bishop, Stephen Knapp, Denis Donovan, Jerry Wickett, Tara and Mike Lanning, Chris Hunt, Pat Eisenberg, Priscilla Carmody, Brandy Witthoft, Stacey Ossit, Percy Clarke, Robyn and Steven Bolewski, Suzanne Tobin, Deputy Town Clerk.

Public Hearing: Fire Service and Ambulance Service 2026 Contracts: Supervisor Jane Attley opened the Public Hearing at 6:32 regarding the Fire Service and Ambulance Service 2026 Contracts. She asked if anyone had anything to say either for or against it. There were no comments or questions from the Board or the residents. Councilor Jeff Berwald made a motion seconded by Councilor Karen Pollard to close the Public Hearing at 6:33 pm.

Ayes – Attley, Berwald, Hoey, Pollard Carried

Waive the Reading and Accept the Minutes: Councilor Terry Hoey made a motion to waive the reading and accept the minutes as submitted by the Town Clerk for December 3, 2025, and the motion was seconded by Councilor Jeff Berwald.

Ayes – Attley, Berwald, Hoey, Pollard Carried

Councilor Terry Hoey made a motion to waive the reading and accept the minutes as submitted by the Town Clerk for December 17, 2025, and the motion was seconded by Councilor Jeff Berwald.

Ayes – Attley, Berwald, Hoey, Pollard Carried

Councilor Terry Hoey made a motion to waive the reading and accept the minutes as presented from the December 29, 2025, end of year meeting; and Councilor Jeff Berwald seconded the motion.

Ayes – Attley, Berwald, Hoey, Pollard Carried

Abstract of Audited Vouchers: The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #12 for January 7, 2026, Claim #'s 159059-159070

Expenses

General Fund 5,241.81

The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #1 for January 8, 2026, Claim #'s 159071-159086, 159086-159096.

Expenses

General Fund	31,177.82
Part Town General	7,531.38
Townwide Highway	6,582.77
Part Town Highway	5,670.25
Fire District	18,629.75
Ambulance Fund	1,216.25
Trust and Agency	1,888.27
Total	\$72,696.49

Councilor Jeff Berwald made a motion seconded by Councilor Terry Hoey to approve the Abstract of Audited Vouchers and pay the bills for January 2, 2026, and January 5, 2026.
Ayes – Attley, Berwald, Hoey, Pollard Carried

Old Business:

MAVES 2026 Contract:

Councilor Jeff Berwald made a motion seconded by Councilor Terry Hoey to approve the Maves 2026 Contract.

Ayes—Attley, Berwald, Hoey, Pollard
Carried

Fire Department 2026 Contract:

Councilor Karen Pollard made a motion seconded by Councilor Jeff Berwald to approve the Fire Department 2026 Contract.

Appointment of Town Board Councilor:

Supervisor Jane Attley: Mr. Gascon reached out to the Commissioner of Elections Republican Chair and had not heard back.

Attorney James Gascon: I did speak to him, and I'm continuing to investigate the matter and will be offering an opinion to the board within a few days.

Councilor Terry Hoey: I would like to take a moment to explain for the audience that we have two issues going on. One issue is the legal question of should Percy Clarke be on the board currently as a holdover appointment. Which was legal advice the Board received from our Town Attorneys. There is disagreement about the interpretation of that part of New York State law regarding holding over after the expiration of a term. The previous Board and two members of the current Board held and hold the position that Percy should be a member of the Board currently as a holdover appointment and should be seated on the bench. That is mine and Jeff's position. The other issue is filling the vacancy left by Councilor Gabe Hood's death. If we vote and fill the vacancy, then the first issue disappears. I want to note to the public that those are two separate issues and people should be aware of that.

Councilor Jeff Berwald: I'd like to reference an email from Mr. Gascon's firm to then Supervisor Laurie Stevens on December 9th asking that same question and his advice was (quoted from email) *"Our best answer is as follows: It is our opinion Percy's appointment by this Board, to fill Gabe's vacancy, will end on December 31st 2025. That vacancy may then be filled by the new Board starting on January 1st, 2026. If the new Board is unable to fill the vacancy, for example a 2 to 2 tie vote, then it is our opinion that Gabe's appointment holds over until a majority vote of the new Board either appoints him or replaces him. The foregoing notwithstanding, we can see either a court of law or an opinion of the Attorney General coming to a different conclusion. That alternative conclusion would be in the form of a ruling/opinion that Percy's appointment by the current Board expires upon the expiration of Gabe's current term Dec. 31st and the appointment to the new Board must, and can only, be made by the new Board. Thus, our practical advice is to have Percy resign from the current Board and be appointed to replace Gabe's position. Thereafter a motion should be made by the new Board in January to affirm Percy's appointment."* Then following that on December 22nd, another email from Mr. Andino, a partner in your firm stated that *"Percy remains as a "holdover in office" even though the vacancy for purposes of appointment by the new Board exists. If there is a 2-2 split on filling the vacancy, Percy remains as a sitting Board member as the "holdover" until such time as there is a majority vote or the election occurs in November to fill the balance of the term."* That is the advice the Town Board received and followed, and you agreed. Until last Friday when we had our Organizational Meeting and we found out that you met with these two (Supervisor Attley and Councilor Pollard) on January 2nd at the Milk House and then changed your opinion regarding the holdover until you get an answer from the Republican party. I don't agree with that. He should be sitting up here right now.

Attorney James Gascon: I want to clarify the advice to the Town Board regarding the two emails. I feel it is important that I give the full measure of my advice.

Councilor Jeff Berwald: Is it different from the emails that I referred to that you wrote to the Town Board giving us guidance?

Attorney James Gascon: "It's different than what you painted it out to be. Yes."

Councilor Jeff Berwald: I'm reading it from the emails your office sent.

Attorney James Gascon: I started it is clear as mud in that email that I gave to you. That is not clear, and it is a case of first impression. I did learn on the 2nd of January, the very date of the meeting, that the Democratic Commissioner of the Board of Elections came to a different conclusion than me. I was also informed that the Town was threatened with being sued if we put Percy Clarke in place. Considering that, I gave the advice to the board that it would be wise to table the issue of the appointment until additional investigation could be conducted and a request could be made to the Attorney General for an

opinion on the subject. That was my advice. My advice was also, if we were wrong, then we would have a board member on the board who is not legally supposed to be there and that the decisions of the board would then be in legal jeopardy. That was the advice I gave. Now, as for the meeting that I had with the duly elected Supervisor, I was instructed not to meet with her by the outgoing supervisor.

Councilor Terry Hoey: You were told that in December.

Attorney James Gascon: I was told by the outgoing Supervisor in December not to meet with the incoming supervisor and I abided by her instruction, and I did not meet with her during her term. On January 1, 2026, I had a new Supervisor who asked me to meet with her. I am willing to meet with any Board member at any time they request me. I adhered to the instructions of my previous Supervisor, and I adhered to the request of my new Supervisor, and I think asking or telling me under no circumstances should I meet with the incoming Supervisor is wrong.

Councilor Terry Hoey: That is not your job, Mr. Gascon. Your job is to represent the town in legal matters and offer us legal advice. You only met with two out of the four current Town Board members.

Attorney James Gascon: That is what I did.

Denis Donovan, Marcellus Resident: This is one of the things that I was going to bring up today, which is talking about the appointment and the contract with the law firm. Since 2022, I have sat in 15 to 20 Planning and Zoning meetings. This is the second Town Board meeting I have been to. In the Planning and Zoning Board meetings I have sat in, the demeanor of Mr. Gascon is just what we witnessed here today. The Board saw it, normally it is directed at the residents asking to put up a garage or make modifications to their property. Mr. Gascon will not look at them, talks down to them in the same manner that he just did to the Board. Which is why I kept coming here. I could not believe that somebody that is representing the Town would talk to our citizens in the manner that he does. Today we get to see him talking the same way to the Board. I think that is unacceptable.

Brandy Witthoft, Marcellus Resident: As far as the holdover appointment is concerned, I don't understand what the basis of that would be. To my understanding, Percy did not win his election. He lost his election, he served out his term, and I do not think he should be on the board considering that he served out his term and he lost the election.

Percy Clarke, Marcellus Resident: I had no plans to come back. I was going to run for village trustee. Gabe Hood was a very good friend of mine. The last conversation I had with him, He said to me that if something happens to me, please step in, and I agreed. That is where this holdover comes in, Councilor Hoey didn't come up with it, Councilor Berwald didn't come up with it, I knew nothing of it. Legal counsel presented it. If anybody knows me, they know that I live and breathe for Marcellus. Whether it is coaching sports, substitute teaching and being a police officer here. I want what is best for the Town, and Gabe felt that too. It was Gabe's wish that I fulfill his vacancy.

Brandy Witthoft, Marcellus Resident: No disrespect to Gabe, but it is up to the voters who sits on the Board. It is not up to Gabe's wishes.

Councilor Jeff Berwald: To answer your question first Percy stepped down from his elected position, the one that he lost the election for. We appointed him to Gabe's position as a holdover from that position, not the one he lost. I just want to clarify that.

Percy Clarke, Marcellus Resident: It would be the election coming up in November.

Nancy Hudson, Camillus Resident: Can the board complete business without a councilor being nominated or put into place?

Supervisor Jane Attley: Yes

Nancy Hudson, Camillus Resident: Can it be the person that lost the election?

Councilor Terry Hoey: Yes, it is irrelevant. It can be any person who is qualified for the job with a majority vote. It is filling a vacancy temporarily.

Scott Stearns, Zoning Chairperson: I serve on the Planning and Zoning Board. I think Percy would be a great person to have for the interim this year, that is my position.

Chris Hunt: I am a previous Town Board member, and I would like to speak on what Percy brought up. I know Gabe and him requesting Percy to fill his vacancy is a very honorable thing that everybody should take into consideration. Not what party lines they are on. Gabe chose the person that would represent his values. I have known Percy for a long time, he has done a great job since he has been on the Board. The commonsense move and I do not care what party you're in; you honor that. Marcellus is a small community and we honor each other. We are here for one common goal. I spoke to Percy long before Gabe's passing, if something happened would he step in? And he was saying absolutely not, he was done, he lost and he knew it. He is moving in another direction. Please take that into consideration and do what is right.

Robyn Bolewski, Marcellus Resident: I want to point out that Percy was appointed to fill Jamie Curtin's seat, when he resigned to serve on the Village Board. Also, at the same time he applied for that position, Tammy Sayer, who had served for four years on the Board and was instrumental in getting this new building built, she was passed over for that spot. Even though she had four years of town board experience under her belt, she was passed over. Percy was put in that position because of party loyalty.

Councilor Terry Hoey: I reject that. I know Tammy and I worked very well with her. Is this some version of payback? At that time, we accepted letters of interest from two people, we interviewed both and voted. I understand you do not like the result of the vote, but we voted on it as a Board representing the Town of Marcellus. You may not agree with the result of our vote and think we should have voted a different way, but that is what we voted.

Robyn Bolewski, Marcellus Resident: How would you justify that vote?

Councilor Terry Hoey: By the information they gave us, by the interviews they had, and I know both of them. They both would have done a very good job.

Robyn Bolewski, Marcellus Resident: When we saw the agenda for the meeting where Percy was resigning and taking over for Councilor Hood, The Marcellus Democratic Committee contacted the Onondaga County Democratic Commissioner. We then immediately contacted the State.

Councilor Terry Hoey: I think we can see who is making it a partisan issue.

Robyn Bolewski, Marcellus Resident: We are paying attention to what is going on.

Councilor Terry Hoey: Getting on the Board is a partisan issue. All of us are here because we have been endorsed by a party, that's how we get the job, then the people vote. It is incredibly unlikely to get this job without being endorsed by a party. Yes, it is a partisan issue for getting elected or getting the job, but once you're on the Board there have been few decisions that are split based on political party. It is almost always unanimous. We have tried extremely hard under the last two supervisors to make decisions by consensus. Once you are sitting as a Board member, political party is pretty much irrelevant. Political parties are not relevant.

Supervisor Jane Attley: I do expect a lot of unanimous votes in favor of anything that is going on this year. Any other comments on this issue? Are we ready to move on?

Councilor Jeff Berwald made a motion seconded by Councilor Terry Hoey to appoint Percy Clarke to the open position. Roll call was taken:

Jane Attley	Supervisor	Voted	No
Jeff Berwald	Councilor	Voted	Yes
Terry Hoey	Councilor	Voted	Yes
Karen Pollard	Councilor	Voted	No

Councilor Jeff Berwald: In the event of a two-to-two split we were unable to fill the vacancy. Percy remains as a sitting Board member, as a holdover until the time the Board can reach a majority vote or until the election in November.

Councilor Terry Hoey: We tried to fill the vacancy and the motion failed. Now we go back to our original question of Percy being appointed to Councilor Hood's term and the legality of remaining as a holdover.

Denis Donavan, Marcellus Resident: Mr. Gascon stated he spoke to the Republican party or some other organization, and he would be rendering his decision within the next few days. I think the Board should inquire which direction he was leaning with that decision. This might help the Board render a decision on the Board vacancy.

Councilor Terry Hoey: We would like to know the position of the Onondaga County Board of Election Democratic and Republican Chairs, but I do not believe their position is legally binding advice. What we would like is an interpretation from the Attorney General's office. I do not know if that is legally binding either, but it is a definitive answer of legal advice.

Chris Hunt, Marcellus Resident: Before the election they could give information, but when the election is over it is closed and sealed, the Board of Election Commissioners have no right to be involved. The question to Supervisor Attley and Counselor Pollard is if the advice from the Attorney General regarding the legality of a holdover is going to change your two opinions? What does it matter regarding appointing Percy.

Attorney James Gascon: The law has not given us a clear answer to the question. It is a question of first impression. The State statute says if there is a vacancy before September 20th, the vacancy is filled by that existing Board by a majority vote. That vacancy is up for the next November election. If the vacancy occurred in February, the 2025 Board would have appointed the replacement and that position would have gone up for election in November. The law says if the vacancy occurs after September, the Board makes the appointment until the next available election or the end of the term. Unfortunately, Councilor Hood's term expired December 31, 2025, and he passed away after he was re-elected. The question is when does that vacancy occur, upon his death or does it occur upon January 1, 2026, when the new term begins. Statutes do not answer that, case law does not answer that, opinions of the Attorney General will not answer that. There is this provision of the law that talks about holdovers, but that provision is not clear. It talks about the holdover of officials; it does not talk about the holdover of elected officials. The chair of the Democratic Commission believes that that statute does not apply to elected officials and believes that the vacancy doesn't occur until January 1, 2026. That is his position, which I did not know about until January 2nd. When I arrived for the meeting, I was also given false information that said the Election Commissioner had threatened to sue the Town and had called our Republican Commissioner or Republican chair and threatened him which did not occur. The meeting that I had with Supervisor Attley and Councilor Pollard on January 1, 2026, was to prepare Supervisor Attley for her first organizational meeting. The advice that I gave to Councilor Pollard and Supervisor Attley was the exact same advice that I gave to this board. I handed them the same email and gave them the exact same advice. There was nothing nefarious about the meeting. My advice at that time to the Board I think was good advice. And that advice was we are under threat of being sued, which is not in the best interest of the Town. It could cost the Town thousands of dollars in my legal fees. There is absolutely no harm in tabling the issue of the appointment. That was the advice I gave. Three out of the four Board members decided to table the issue to give me the opportunity to do additional investigation. I have conducted some additional investigation and spoke to the Republican Chair of the Election Commission; I got a very different opinion. It remains my advice to this board based on all the legal precedent that I

have reviewed, that Percy would be a holdover under that holdover statute. Unless, and until this board can reach a majority vote on the issue. That remains my advice, I only changed my advice to protect the litigation interests of the town that were thrown at me on January 2nd.

Bill Southern, Marcellus Resident: If there is no threat of suit, then Percy is on the Board. The reason we are talking about holding off on doing this was because there was a threat of a lawsuit from the Democratic Commissioner and now, I hear that, no, he didn't make one.

Attorney James Gascon: I corrected the false statement that there was a threat of a lawsuit from the Democratic Election Commissioner. I did not state there was not a threat of lawsuit. Towns get sued but not by election commissioners as I leaned today that they do not have standing.

Bill Southern, Marcellus Resident: They do not have standing so they cannot sue the Town. I think that the opinion of the Town Attorneys would stand, which is Percy is on the Board from the two-to-two split, that position would remain. The Board could appoint somebody in the future and the position would still be considered open. Percy is filling the vacancy until the Board can come to a majority decision on whether they wanted somebody different than Percy. The other option is the Governor could call special election for the seat. As Mr. Gascon said he belongs on the Board, "so, I think you got to make a space up there."

Councilor Karen Pollard: What I am hearing from Councilor Berwald is that because it was a two-to-two tie Mr. Clarke should be on the Board. That would not prevent Mr. Gascon from investigating and looking into a holdover appointment further, is that correct?

Councilor Terry Hoey: Our expectation was that Mr. Gascon seek guidance from the Attorney General's office. We already directed him to do it.

Councilor Karen Pollard: I do not have a problem with Mr. Clarke being on the Board as long as Mr. Gascon can continue with his investigation. So, until we have a definitive answer from the Attorney General Mr. Clarke will be on the Board.

Brandy Witthoft, Marcellus Resident: I think the two Republican members of the Board are very enthusiastic about maintaining Percy because you want to maintain a three, two majority.

Councilor Karen Pollard: I do not agree with that statement.

Councilor Terry Hoey: I think you're absolutely wrong. I have known Percy my whole life and that is irrelevant. I do not agree with that statement.

Brandy Witthoft, Marcellus Resident: That is a perception that one could have.

Bill Southern, Marcellus Resident: I have been going to meetings for years and disagree that they vote party lines.

Chris Hunt, Marcellus Resident: I am the chair of the Republican party and I was on the Board for five years and the Republican part of me did not come into play when I made a decision. There were two Democrats on there with me, Councilor Pollard was on there, Laurie Stevens was coming on after. I had two Democrats, an Independent, Councilor Pollard and I. All of us were on opposite ends of our political parties, but we all voted as one across the Board. We may have had disagreements, but we worked it out and we voted almost every time unanimously.

Steven Bowleski, Marcellus Resident: I was at meeting when Percy was appointed to fill Councilor Hood's position on December 17, 2025, for Councilor Hood's term that ended on December 31, 2025. My point is that Councilor Hood's term that Percy was appointed to ended on December 31, 2025.

Councilor Jeff Berwald: Not if we apply the holdover provision.

Councilor Terry Hoey: That is the legal interpretation that the Board is seeking.

Chris Hunt, Marcellus Resident: As Councilor Pollard said, Mr. Gascon can keep on researching to make sure the holdover provision is legal and until then Percy sits on the Board.

Councilor Percy Clarke then signed the Oath book, took the Oath of Office and took his seat on the bench.

Costello, Cooney & Fearon, PLLC 2026 Contract:

Mr. Gascon addressed specific questions raised by several board members regarding the structure of the contract and offered various methods of how the Town Board might be able to save on attorney's fees going forward. Councilor Percy Clarke made the motion that the Town Board approve the 2026 contract with Costello, Cooney & Fearon, PLLC. and Councilor Terry Hoey seconded the motion.

Ayes – Attley, Berwald, Clarke, Hoey, Pollard

Carried

New Business:

2025 Court Audit: Councilor Jeff Berwald volunteered to witness the annual Court Audit.

Official Undertaking of Municipal Officers:

Councilor Terry Hoey made a motion to accept the official Undertaking of Municipal Officers as written and Councilor Jeff Berwald seconded that motion.

Ayes – Attley, Berwald, Clarke, Hoey, Pollard

Carried

Comprehensive Plan Zoning Changes:

Gerald Wickett had asked to be put on the agenda this evening in order to bring the Town Board and the attending audience members up to speed on the progress that the Planning Board has been making. In light of the fact that the comprehensive plan was updated and adopted a few months ago, Mr. Wickett wanted to review the next steps to be taken with the Town Board. He shared that due mainly to the efforts of Joanna Clarke, who is our planning and zoning secretary, they were able to get a grant from the county for \$75,000 to pay for the updates to the zoning regulations. The grant contract calls for it to be done by the end of 2027. Mr. Wickett would like to get that process moving by getting a committee appointed. After some discussion, seven members were chosen; Terry Hoey, Karen Pollard, Scott Stearns, Chris Christensen, Gerald Wickett, Joanna Clarke, James Gascon and an engineer as needed. The last two members listed would not have voting privileges.

Councilor Jeff Berwald made the motion that the Town Board approve forming the comprehensive planning and zoning committee as suggested and Councilor Terry Hoey seconded that motion.

Ayes – Attley, Berwald, Clarke, Hoey, Pollard

Carried

Reports From Department Heads:

Codes: John Houser, Codes Officer did not attend the meeting and had no new business.

Highway Department: Mike Ossit, Highway Superintendent shared that with the recent weather, it has been a long two weeks, and Chris Hunt made a point of thanking Mike and his crew for their diligent work.

Parks and Recreation: Donald MacLachlan, Parks and Recreation Director; reported that Michele started her new hours and we had a Moonlight Walk that happened on January 3rd. It was a big success, having at least 200 people in attendance. He also mentioned that the skating rink was up and running for a short time before someone drove on it. It will be back up and running when the weather permits. Also,

he spoke about doing a small amphitheater for concerts with the help of a student program for future engineers and architects.

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

Dog Licensing \$320.00

Certified Copies-Marriage \$20.00

Photocopies \$33.40

Passport \$70.00

Conservation \$.55

Marriage Licensing Fee \$17.50

Building \$900.00

Discussion Agenda:

Fire Department: Dave Card reported that the 2024 audit was complete and would be submitted to the board and that the Fire Department's budget was nearing completion.

Fire Department Roof: Dave Card informed the Board that the roof will be an ongoing issue and that he and Mike Ossit will be working together on it as the weather permits. It would be a repair not a replacement. He would like to request that the Board members come to the firehouse in order to get more involvement without breaking any open meeting laws, ideas were presented as alternate ways to accomplish that end.

Nancy Hudson stated that she has attended several banquets and events from other fire departments, and they are extremely well attended by their town boards. I know that you all get invitations. We would love to have you join us and get to know us as people better.

Adjournment: Supervisor Jane Attley made a motion seconded by Councilor Terry Hoey to adjourn the Meeting at 7:56 PM.

Ayes – Attley, Berwald, Clarke, Hoey, Pollard

Carried

Respectfully submitted,

Suzanne Tobin
Deputy Town Clerk

Marcellus Town Board
Workshop Meeting
Wednesday, January 21, 2026
6:30 PM

A Workshop Meeting of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, January 21, 2026, in the Town Hall, 22 East Main Street, Marcellus, New York.

Present:	Jane Attley	Supervisor
	Jeff Berwald	Councilor
	Percy Clarke	Councilor
	Terry Hoey	Councilor
	Karen Pollard	Councilor

Also Present: Mike Ossit, Highway Superintendent; Don MacLachlan, Park and Recreation Director; Linda Wilcox, Denis Donovan, Priscilla Carmody, Jim Rossiter, John Pawlewicz, Art Hudson, 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 #1 for January 14, 2026. Claim # 159125.

	Expense
General Fund	\$282.84
Total	\$282.84

Abstract of Audited Vouchers: The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #1 for January 20, 2026. Claim #'s 159141-159150.

	Expense
General Fund	\$22,845.06
Part Town General	2,539.94
Townwide Highway	6,305.27
Trust and Agency	755.77
Total	\$32,446.04

Abstract of Audited Vouchers: The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #12 for January 21, 2026. Claim #'s 159106-159117,159126-159127,159131.

	Expense
General Fund	\$11,102.70
Townwide Highway	4,571.57
Total	\$15,674.27

Abstract of Audited Vouchers: The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #1 for January 22, 2026. Claim #'s 159118-159130, 159132-159140.

	Expense
General Fund	\$16,919.32
Townwide Highway	93.07
Part Town Highway	40.00
Fire District	89,983.50
Ambulance Fund	76,725.00
Sewer District	49,039.73
Trust and Agency	1,132.50
Total	\$233,933.12

Abstract of Audited Vouchers: The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk. Abstract #12 for January 23, 2026. Claim # 159160-159161.

	Expense
General Fund	\$7,747.92
Total	\$7,747.92

Councilor Pollard asked if Syracuse Technologies is the new IT company for the Town of Marcellus. She inquired about the contract terms. The Town has a month-to-month contract that can be cancelled with 30-day advance notice from either party.

Councilor Pollard asked Don MacLachlan, Park and Recreation Director for clarification on the Connor Fence Company Inc. bill regarding the softball/baseball field. **Don** said the mesh was replaced and the fence/wing was increased to six feet high for safety reasons. **Supervisor Attley** asked if this is included with the backstop, **Don** replied yes.

Supervisor Attley asked if the team benches purchased from Belson Outdoors are also for the softball/baseball field. **Don** replied yes but we have not received them, they will be delivered next week. **Supervisor Attley** asked where the new Mustang Country signs will be placed. **Mike Ossit, Highway Superintendent** stated new updated signs were ordered with the State Championship information displayed on them and they will be placed at the entries of the Town.

Councilor Clarke made a motion seconded by Councilor Hoey to approve the Abstract of Audited Vouchers and pay the bills for January 14, 2026, January 20, 2026, January 21, 2026, January 22, 2026, and January 23, 2026.

Supervisor Attley received an email from a resident thanking Mike Ossit, Highway Superintendent and the Highway staff for their help with a partially fallen tree and branches that were hazardous to bigger vehicles traveling on the road. The debris was unmanageable for the resident, and they asked for assistance from the Highway Department. The Highway staff responded quickly and resolved the issue in

a timely manner. The resident stated, "we are lucky to have such a responsive and competent Highway Department in Marcellus."

Old Business:

Fire Department Roof Repair: The Fire Department roof is leaking. Mike Ossit, Highway Superintendent, got two quotes for the repairs. Welch Construction Inc did not have time to complete the job, J&B Installations, Inc completed the previous roof for the Fire Department. The perimeter of the truck bay material is shrinking; it is a rubber roof. The estimate is to complete the entire perimeter. The total cost for the job, including prevailing wage, is \$4,800.00. Dave Card, Fire Department President informed Mike Ossit, Highway Superintendent the Fire Department will pay for the repairs. The Town will submit prevailing wage paperwork to the State.

Councilor Berwald made a motion seconded by Supervisor Attley to approve the quote from J&B Installations, Inc to repair the Fire Department roof at a total cost of \$4,800.00.

Ayes –Attley, Berwald, Clarke, Hoey and Pollard

Carried

Councilor Hoey received an email from Millennium Strategies on a grant opportunity alert. NYS Division of Homeland Security and Emergency Services FY 26 Volunteer Fire Infrastructure & Response Equipment (V-FIRE) Grant Program FY26. NYS Division of Homeland Security and Emergency Services is currently accepting applications through the grant program. Eligible funding categories: Facility Construction or Renovation Projects: Grants of up to \$1 million will be provided for the construction of new fire station and training facilities as well as for the renovation or expansion of existing fire stations and training facilities. Equipment Projects: Grants of up to \$500 thousand will be provided for the acquisition of personal protective equipment (PPE), PPE washers/extractors, PPE dryers, self-contained breathing apparatus (SCBA), SCBA fill stations, SCBA testing equipment, radio's/communication equipment, and firefighter rehabilitation equipment. Interested applicants may apply for funding through the V-Fire grant program under one of the below listed funding categories.

Councilor Pollard asked for this topic to be added to the February 4, 2026, agenda.

New Business:

CNYSPCA 2026 Contract: This is a contract between the Town of Marcellus and CNYSPCA for cruelty investigations. The cost of this service for 2026 is \$2,268.00. The fee has increased by \$108.00 since 2025. The CNYSPCA will promptly respond to, investigate violations of and enforce provisions of Article 26 of the Agriculture and Markets Law of the State of New York which are reported to it by the Town of Marcellus, and which are occurring within the boundaries of the municipality. Such services include as necessary seizure of, removal and shelter of any animal found to be the subject of a violation of the above-mentioned law.

Councilor Pollard made a motion seconded by Councilor Berwald to approve the 2026 CNYSPCA contract for \$2,268.00 and Authorize Supervisor Attley to sign the contract.

Ayes –Attley, Berwald, Clarke, Hoey and Pollard

Carried

Discussion Agenda:

Fire Department Financials: The Marcellus Fire Department turned in their financial statements through December 31, 2025, and their 2024 audit. A copy is available at the Town Clerk's Office upon request during business hours 8:30AM-4:00PM Monday through Friday.

Councilor Pollard inquired about the remaining \$39,689 balance from Fire Department account at the end of 2025 and that it was transferred to the truck reserve bringing the current total to \$486,936 in the truck reserve. Dave Card did confirm this information prior to the meeting with the Town Clerk.

Councilor Berwald raised concerns with the 2024 audit received from the Fire Department. The audit has the building and grounds as a fixed asset. The Town owns the building the Fire Department does not. Councilor Berwald also is questioning the value that the building is listed as.

Councilor Hoey asked what a good intent call is?

Art Hudson, Marcellus Fire Department member, said a good intent call can be multiple things, a cat in a tree or smoke spotted behind a house that turns out to be nothing.

Councilor Clarke asked if cancelled enroute counts as a call.

Art Hudson, Marcellus Fire Department member, confirmed cancelled enroute still counts as a call.

Highway Department:

Agreement for the Expenditure of Highway Moneys: 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.

Mike Ossit, Highway Superintendent turned in his 2026 Highway Department inventory. Mike attended a School Board meeting to discuss the program he is a part of. He works with staff and high school students. The Marcellus Together meetings have been going well, Mike attends to represent the Town. More salt has been delivered. The Highway staff is doing a great job keeping the roads clear.

Don MacLachlan, Park and Recreation Director will be adding a third moonlight walk on February 28, 2026. The ice-skating rink is open at the park.

Adjournment: Councilor Clarke made a motion seconded by Councilor Berwald to adjourn the Workshop Meeting at 6:50 PM.

Ayes—Attley, Berwald, Clarke, Hoey and Pollard

Carried

Respectfully submitted,

Rosemary Tozzi
Town Clerk

Rosemary Tozzi

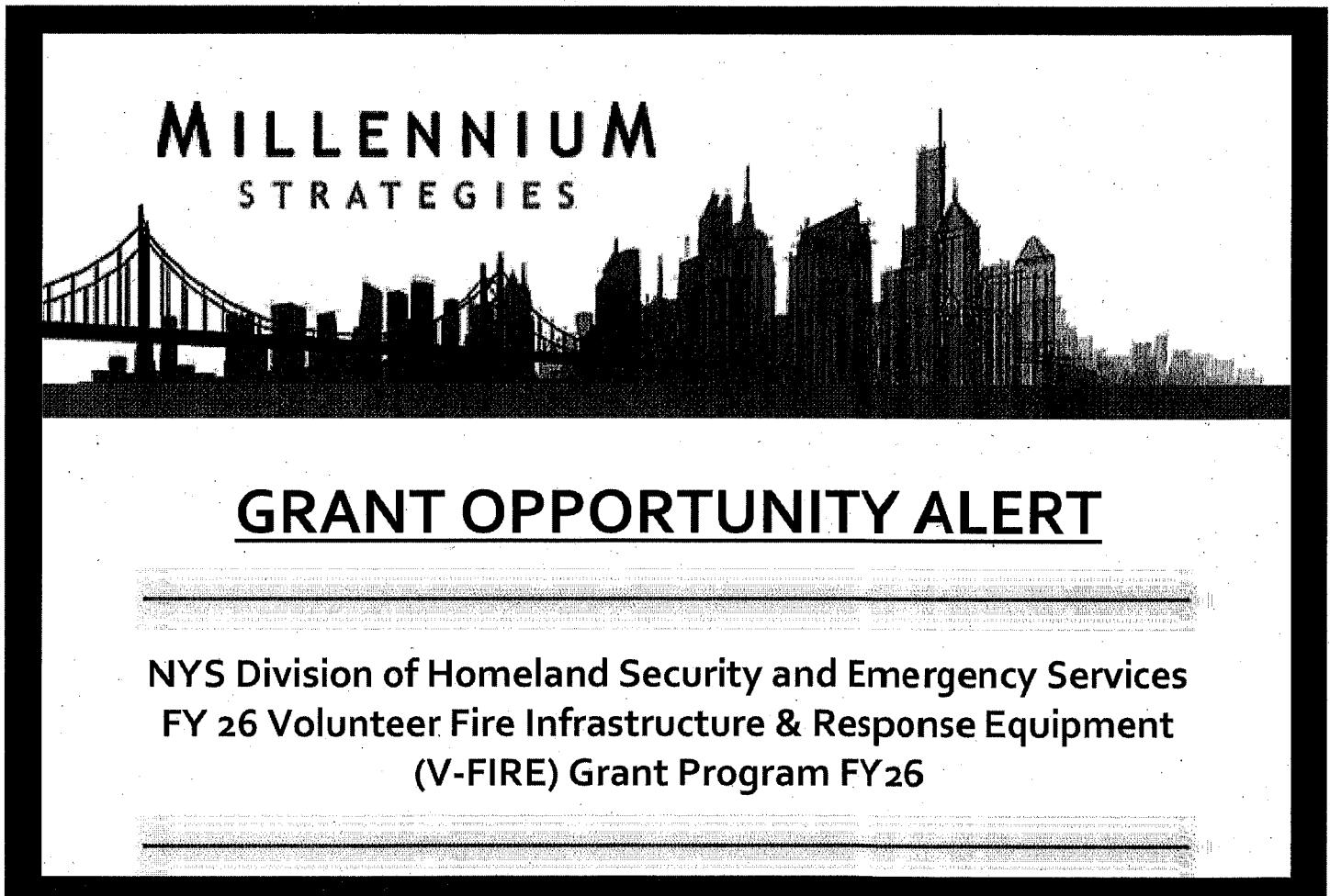
From: Supervisor
Sent: Wednesday, January 21, 2026 7:46 PM
To: Rosemary Tozzi
Cc: Karen Pollard
Subject: Fw: Grant Opportunity Alert @ NYS DHSES - FY 26 Volunteer Fire Infrastructure & Response Equipment (V-FIRE) Grant Program

Rose,

I think Terry sent you this, but just in case.

Jane

From: Millennium Strategies <pblanos-m-strat.com@shared1.ccsend.com>
Sent: Thursday, January 15, 2026 9:17 AM
To: Supervisor <supervisor@marcellusny.com>
Subject: Grant Opportunity Alert  NYS DHSES - FY 26 Volunteer Fire Infrastructure & Response Equipment (V-FIRE) Grant Program



PROGRAM OVERVIEW

The NYS Division of Homeland Security and Emergency Services is currently accepting applications through the FY26 Volunteer Fire Infrastructure and Response Equipment (V-FIRE) Grant Program. Through this program, **\$25 million** in funding is being made available to strengthen volunteer fire departments and districts.

[Click Here To Learn More](#)

ELIGIBLE FUNDING CATEGORIES

Interested applicants may apply for funding through the V-Fire grant program under one of the below listed funding categories.

Facility Construction or Renovation Projects

Grants of up to **\$1 million** will be provided for the construction of new fire station and training facilities as well as for the renovation or expansion of existing fire stations and training facilities.

Equipment Projects

Grants of up to **\$500 thousand** will be provided for the acquisition of personal protective equipment (PPE), PPE washers/extractors, PPE dryers, self-contained breathing apparatus (SCBA), SCBA fill stations, SCBA testing equipment, radio's/communication equipment, and firefighter rehabilitation equipment.

NEED ASSISTANCE APPLYING?

Millennium Strategies has extensive experience helping municipalities and counties apply for and secure funding through the V-FIRE grant program. Examples of awards we have helped to secure on behalf of our clients are outlined below.

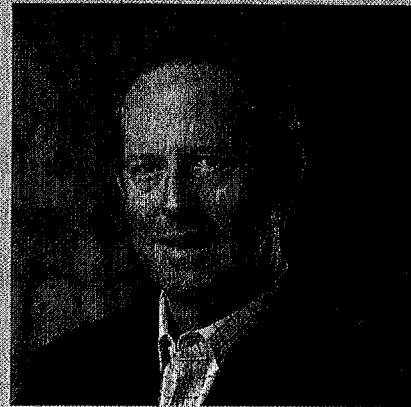
Client	Project Scope	Award Amount
Village of Sleepy Hollow	Fire Headquarters Roof Replacement	\$139,000.00

Village of Tarrytown

Radio and Paratech Struts Acquisition

\$78,671.00

The February 25, 2026 application deadline is rapidly approaching. If your organization is interested in applying for funding contact our team today to learn about our grant writing services and how we can assist you.



GRANT CONTACT

Mr. John Gault

Office: (973) 226-3329

Mobile: (201) 259-7855

Email: jgault@m-strat.com

Follow Me on LinkedIn

www.m-strat.com

The Trusted Name in Grant Consulting



Millennium Strategies | 60 Columbia Road Building B, Suite 230 | Morristown, NJ 07960 US

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Trash Days - Proposed 2026 Dates

Fridays and Saturdays

April 24 & 25 8:00 am - 12:00 pm

May 1 & 2 8:00 am - 12:00 pm

2025 Trash Days

Town Expenses \$19,364.20

Revenue \$15,465.00

Town at a loss of \$3,899.20

2026 Fees

debris hauler will increase \$10.00 per ton

E-Waste will remain the same

Current Permit Fees:

Passenger Vehicle	\$15.00 - one load only
Passenger Vehicle	\$25.00 - up to six loads
Pickup Truck or Commercial Van	\$40.00 - up to four loads
Trailers	\$50.00 - up to four loads
Large Vehicle	\$55.00 - up to two loads
Mattress Fee	\$25.00 - per mattress

Tires: Tires up to 19.5" rim diameter only: \$7.00 Each

Freon Removal: Refrigerators, Dehumidifiers, Air Conditioners \$15.00 per unit

375 permits sold in 2025 (excluding mattresses, freon and tires)

588 total permits sold in 2025

Town Board will need to decide if permit prices will remain the same or increase. The Town Board voted to increase the permit fees by \$5.00 excluding freon, tires and mattresses at the February 21, 2024, workshop meeting.

\$5.00 increase per permit (excluding mattresses, freon and tires) will increase revenue by \$1,875

Health Assessment: Article 7 Seized Dog

Dog Name (if known): _____

Date: _____

Location Found: _____

Pick up time: _____ Drop off time : _____ Exam time: _____

Description of Dog (Breed, Sex, Color): _____

DCO/Officer name: _____

Contact information (phone number): _____

YES NO

Did you see or do you suspect dog was hit by car?		
Are there any obvious wounds, blood present on the dog, or active bleeding?		
Have you observed any blood in stool, urine, or vomit?		
Has the dog vomited?		
Is the dog having trouble breathing?		
Have you observed any coughing, sneezing, or discharge from the nose?		
Is there any swelling anywhere?		
Is there any significant limp or walking abnormality?		
Have you observed any seizures or are they mentally abnormal?		
Is the stomach bloated?		
Did the dog receive any emergency medical care/ was there reason to believe there was an imminent risk to the animal's life?		

If you responded yes to any of the following please provide further details below:

Signature _____

Date _____

1/23/26

To: Don MacLachlan
Park Director

Please accept this letter as my formal notice of resignation from my position with the Marcellus Park. My last day of work will be Monday, January 24, 2026.

Thank you for the opportunity to work at the park. I really enjoyed my time there.

Best regards

James Rossiter

James Rossiter

JAN 27 2026

**Resolution Supporting Participation in the
CNY Stormwater Coalition Staff Services and Education Compliance Assistance Program**

Resolution authorizing the items listed below pursuant to requirements of the New York State Pollutant Discharge Elimination System Municipal Separate Storm Sewer System General Permit.

WHEREAS, _____
(Legal Name of Municipality)

herein called the "Municipality", after thorough consideration of the various aspects of the problem and consideration of available information, has hereby determined that certain work, as described in Attachment A, herein called the "Project", is desirable, is in the public interest, and is required to implement the Project; and

WHEREAS, the Central New York Regional Planning & Development Board, herein called the "Board", has provided program planning and implementation assistance pertaining to the requirements of the New York State Pollutant Discharge Elimination System (SPDES) Stormwater Phase II General Permit for Municipal Separate Storm Sewer System (MS4) operators since 2002, and

WHEREAS, the Board has proposed staff and education assistance services in support of sustaining the CNY Stormwater Coalition and to provide a regional public education, outreach and training compliance program to reduce municipal staff burdens, ensure consistency, provide widespread priority audience targeting the most efficient use of limited municipal funds by distributing total program costs over a number of entities within a twelve-month timeframe.

NOW, THEREFORE, BE IT RESOLVED BY _____
(Governing Body of Municipality)

1. That _____
(Name and Title of Chief Elected Official)
or such person's successor in office is the representative authorized to act on behalf of the Municipality's governing body in all matters related the Project;
2. That the Municipality agrees that it will fund its portion of the program cost in the amount of \$3,600, and that those funds will be made available to the Board upon receipt of invoice.
3. That one (1) certified copy of this Resolution will be prepared and sent to the Board upon adoption.
4. That this Resolution take effect immediately.

CERTIFICATE OF RECORDING OFFICER

That the attached Resolution is a true and correct copy of the Resolution, as regularly adopted at a legally convened meeting of the _____
(Name of Governing Body of Applicant)

duly held on the _____ day of _____, 2026; and further that such Resolution has been fully recorded in the _____ in my office.
(Title of Record Book)

In witness thereof, I have hereunto set my hand this _____ day of _____, 2026.

Signature of Recording Officer

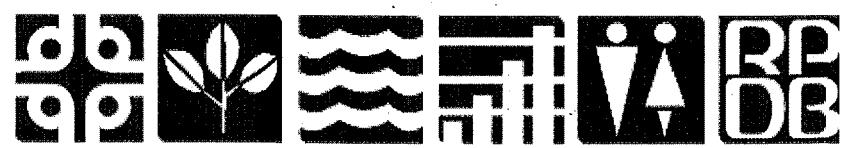
Title of Recording Officer

Impress Official Seal here.



CNY Stormwater Coalition Final Staff Services Proposal 2026 Program Year

Central
New York
**Stormwater
Coalition**

Central New York

Regional Planning & Development Board

SUMMARY

This proposal is for staff and administrative services necessary to sustain the CNY Stormwater Coalition, and to comply with the Minimum Control Measure 1 requirements of NYS General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems GP-0-24-001.

The purpose of the CNY Stormwater Coalition is to provide regulated MS4 communities with support in meeting requirements of the NYS MS4 General Stormwater Permit. The CNY Stormwater Coalition has been active since 2011, hosted by the Central NY Regional Planning and Development Board (CNY RPDB). Stormwater Coalitions are encouraged by both the NYS DEC and the U.S. EPA as an effective strategy for regional compliance, shared services, and peer learning. Participation in a regional coalition is looked upon favorably by these agencies in grant funding requests.

The proposed workplan includes administrative and program services that will be provided by staff at CNY RPDB. The primary goal is to assist MS4 operators in meeting requirements of the NYS General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s) (GP-0-24-001), specifically the requirements for Minimum Control Measure 1 and MS4 Mapping. CNY RPDB will provide the following services to the members of the CNY Stormwater Coalition during the 2026 calendar year.

1. Administration and Staff Support for CNY Stormwater Coalition meetings,
2. Public Education and Outreach implementation and reporting
3. Administering MS4 Mapping grant funding and project, and
4. Direct Municipal Assistance

SCOPE OF SERVICES

1. CNY Stormwater Coalition Administration and Staffing

1.1 Staffing Support for the CNY Stormwater Coalition and Executive Committee

CNY RPDB will plan and facilitate four scheduled meetings of the CNY Stormwater Coalition, four scheduled in-person meetings of the CNY Stormwater Coalition's Executive Committee, and meetings of Coalition working committees, as needed, to advance and sustain a fully functioning Coalition. Meetings may be held remotely or in person. For this program year we anticipate one working subcommittee, the MS4 Coordinated Mapping Subcommittee. This subcommittee will develop an approach to meeting the enhanced mapping requirements of the new General Permit.

Staff support for all scheduled meetings includes:

- meeting announcements,
- creating and circulating agendas and monthly newsletters,
- recruiting topical speakers, and
- maintaining and circulating meeting minutes.

Staff support for the coalition also includes monitoring public and private grant opportunities, issuing appropriate Requests for Proposals, and overseeing implementation of grant-funded projects on behalf of the coalition. For this program year the grant administration will include the MS4 Mapping Grant in collaboration with Onondaga County.

1.2 Communications

CNY RPDB will act as a liaison between the Coalition and regulatory agencies such as the NYS DEC and the U.S. EPA by staying in touch with the regional staff of these agencies and attuned to changing requirements and resources available to regulated MS4s.

A new General Stormwater permit became effective on January 3, 2024. CNY RPDB staff have become familiar with the permit terms and are working to keep MS4 operators informed of changes in requirements and reporting needs. CNY RPDB will continue to develop materials to ensure that municipalities are in compliance with the new permit.

Additionally, CNY RPDB will engage other NY State stormwater coalitions and non-regulatory partners involved in stormwater management to identify compliance opportunities that support the members of the CNY Stormwater Coalition. CNY RPDB will monitor training opportunities and resources prepared by others to share with Coalition members as appropriate.

1.3 Administration and Reporting

CNY RPDB will administer all contracted activities funded as part of this Scope of Services through December 31, 2026, including bookkeeping, and accounting, documentation of local match to support grant funded programs, subcontracting, and solicitations. Progress reports will be made available to the Coalition Executive Committee on a quarterly basis.

2. Public Education and Outreach Implementation and Reporting

2.1 Maintain Regional Stormwater Website and Online Outreach

CNY RPDB will update and promote the CNY Stormwater website which contains information about the General Permit requirements for municipalities as well as information for the public. CNY RPDB will provide the website link for posting on municipal websites when the ongoing website update is complete.

2.2 Print Handouts

CNY RPDB will provide printed handouts, postcards, and brochures on various topics, including but not limited to winter de-icing, pet waste, rain barrels, and residential-scale green infrastructure. Handouts will be printed and delivered to municipal offices and libraries as well as other community centers upon request. These will also be made available online to be printed and used as needed. Members are encouraged to suggest topics for future fact sheets and handout development based on educational needs in their respective communities.

2.3 Community Partnership

CNY RPDB will work with local libraries to plan and facilitate collaborative educational programming. CNY RPDB will pursue additional partnership opportunities, as appropriate, to integrate stormwater information into existing community initiatives. This includes coordinating with the annual OCCRA Earth Day Clean Up and working with WEP.

CNY RPDB is available to present or table at appropriate community events within the Syracuse Urbanized area. We are available for local community events at the request of Coalition Members including but, not limited to, events like EarthFests and public meetings. Tabling materials include informational handouts and displays, interactive children's activities and giveaways that align with our message, such as dog waste bags.

2.4 Direct Outreach to Targeted Stakeholder Groups

CNY RPDB will offer presentations by request on a range of topics including, but not limited to, municipal roles in the MS4 program, green infrastructure, BMPs for homeowners or commercial businesses, and specifics of the permit program as requested. Information will be geared to the specific audience which may include construction professionals, landscaping professionals, the public, municipal committees, and educators. Coalition members should inform CNY RPDB of any specific topics of educational need in their community.

2.5 MCM 1 Documentation and Reporting

CNY RPDB will document all education, training, and outreach compliance activities conducted on behalf of the Coalition and write up a description of activities completed under Minimum Control Measure 1, Public Education and Outreach, for the MS4 annual report. CNY RPDB will deliver, electronically, the MCM 1 section to participating MS4s to include in their individual annual reports following the end of each reporting period.

CNY RPDB staff will provide information required to complete annual and interim reports to all member municipalities and update the MCM 1 Plan annually following the schedule laid out by GP-0-24-001.

2.6 MCM 2 Reporting

Minimum Control Measure 2 (MCM2) requires MS4 operators to provide opportunities to involve the public in the development, review, and implementation of their Stormwater Management Plans. The CNY RPDB will help support Coalition members with this by providing informational sessions, distributing information, and utilizing social media (Facebook) to raise awareness of stormwater issues.

3. Online System Map

CNY RPDB will oversee the development of the MS4 mapping update as funded by the NYS DEC. This will be guided by an advisory committee of Coalition members. In 2024, the CNY RPDB issued an RFP and, working with the Executive Committee, selected Barton & Loguidice as the firm that will work with the Coalition to complete fieldwork and data development in the MS4 infrastructure inventory. This will include compiling new and existing data and information needed to expand the storm sewer system mapping effort. This may include additional field data collection and data post-processing, digitizing

existing paper maps, and/or other tasks as needed to advance efforts to build a full, regional system map. CNY RPDB will secure all necessary consultants, software and hardware updates, storage credits, that may be needed to complete this work. CNY RPDB will aid member municipalities to support additional data collection efforts as required by GP-0-24-001.

4. Direct Municipal Assistance

4.1 GP-0-24-001 Permit review and implementation assistance

CNYRPBD will review the finalized permit and provide guidance to members on the updated requirements and strategies to meet them.

4.2 Municipal Training Opportunities

CNY RPDB will work with other Stormwater Coalitions across the state to offer a Spring Training Series to MS4 operators and others working in stormwater that are eligible for PDH credits. In addition, CNY RPDB will identify subject experts to present to local MS4 operators on issues including, but not limited to:

- Illicit Discharge Detection and Elimination,
- Municipal Good Housekeeping,
- Preparing for an MS4 Audit, and
- Sediment and Erosion Control

CNY RPDB will coordinate with other Stormwater coalitions to provide expanded training opportunities in Central NY. CNY RPDB will advertise relevant training provided through this resource to Coalition members and screen webcasts at the downtown office as appropriate. CNY RPDB will monitor for outside training opportunities and keep coalition members informed of opportunities presented by the Center for Watershed Protection, local Soil and Water Conservation Districts, State Associations, and other training providers. CNY RPDB will also host screenings of prerecorded training regularly throughout the year, to provide opportunities for networking and peer information sharing.

4.3 Grant Writing Assistance

CNY RPDB is experienced in preparing and administering State and Federal Grants and is available to assist municipalities in identifying, writing, and administering grants. Most NY State grants are announced in May with applications due at the end of July. Grants for implementing Stormwater management actions include the DEC Water Quality Improvement Program and the Environmental Facilities Corporation Green Innovation Grant Program. CNY RPDB will assist in identifying, writing, and implementing grant programs that work toward meeting MS4 Permit requirements and preventing stormwater pollution in municipalities as requested. As needed, the CNY RPDB will collaborate with multiple coalition members to develop intermunicipal stormwater projects. CNY RPDB is also available for letters of support as appropriate.

MUNICIPAL RESOLUTION

To participate in the proposed program, MS4s are required to adopt and return a municipal resolution no later than February 27th, 2026 to CNY RPDB. CNY RPDB will issue a single invoice for the annual scope of work in March of 2026. Full payment will be due to CNY RPDB no later than June 1st, 2026.

STATEMENT OF QUALIFICATIONS

CNY RPDB has been active in water resources planning since the 1970s and has coordinated with NYS DEC for over 50 years. Activities have included:

- nonpoint source pollution control,
- outreach/education/training,
- public participation assistance,
- partnership building,
- watershed planning,
- support for county water quality coordinating committees, and
- SPDES Phase II Stormwater Permit assistance.

CNY RPDB has taken a leading role in Stormwater management through MS4s with municipal, public and contractor education and training, stormwater mapping assistance, and technical support related to developing required local laws.

CNY RPDB has been responsible for securing and administrating grants on behalf of regulated MS4s and led the development of the CNY Stormwater Coalition in 2011. Since then, CNY RPDB has leveraged CNY Stormwater Coalition membership fees to secure over \$900,000 in state funding to support MS4 compliance efforts including mapping and modeling projects. CNY RPDB maintains strong working relationships with the regulated MS4s and is recognized as a valuable and trusted partner in the stormwater management arena.

CNY RPDB serves as the Statewide Water Quality Management Planning Coordinator on behalf of the NYS Association of Regional Councils (NYSARC). In this capacity, CNY RPDB serves as an administrative liaison to NYS DEC for various priority water quality initiatives and serves at DEC's invitation on several water quality advisory councils and working groups.

ATTACHMENT A

Syracuse Urban Area MS4s		2025 Member Status
1	Baldwinsville	Member
2	Camillus, Town	Member
3	Camillus, Village	Member
4	Central Square	Member
5	Cicero	Member
6	Clay	Member
7	DeWitt	Member
8	East Syracuse	Member
9	Fayetteville	Member
10	Geddes	Member
11	Hastings	Member
12	LaFayette	Member
13	Liverpool	Member
14	Lysander	Member
15	Manlius, Town	Member
16	Manlius, Village	Member
17	Marcellus, Town	Member
18	Marcellus, Village	Member
19	Minoa	Member
20	North Syracuse	Member
21	Onondaga County	Member
22	Onondaga, Town	Member
23	Phoenix	Member
24	Pompey	Member
25	Salina	Member
26	Solvay	Member
27	Sullivan	Member
28	Syracuse	Member
29	Van Buren	Member
30	NYS Fairgrounds	Member



Central New York Regional Planning & Development Board

126 N. Salina Street, Suite 200, Syracuse, New York 13202 • Tel. (315) 422-8276 • Fax: (315) 422-9051
Paul W. Pinckney, Chairman

David V. Bottar, Executive Director

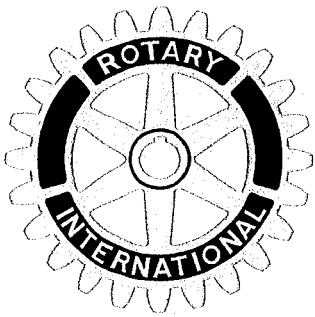
Date: January 20, 2026

Invoice No.: 202613

Issued To: Jane Attley, Town Supervisor
Town of Marcellus
Town Hall
24 East Main Street
Marcellus, NY 13108

CODE	DESCRIPTION	AMOUNT DUE
3860	CNY RPDB – CNY Stormwater Management Coalition Annual Membership and Service Fee Stormwater Assistance Program January 1 - December 31, 2026	\$3,600.00
TOTAL:		\$3,600.00

Terms: Due by June 1st, 2026



MARCELLUS OLDE HOME DAYS

JUNE 5-7, 2026

Charnley Abbott, OHD Chair
Marcellus Rotary Club
P.O. Box 265
Marcellus, NY 13108

January 28, 2026

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

Dear Ms. Tozzi,

The Marcellus Rotary Club would like to request use of Marcellus Park, 2443 Platt Road, Marcellus, NY for the annual Olde Home Days celebration to be held June 5-7, 2026.

We are requesting that upper Marcellus Park, including the baseball diamond, be reserved from Monday, June 1st through Monday, June 8th so that the rides may be set up. We also request that all of Marcellus Park, upper and lower, including all pavilions, athletic fields, and the Welcome Center, be reserved Friday, June 5th through Sunday, June 7th for the Olde Home Days Celebration.

Please consider this as a formal request for use of this property during the 2026 Olde Home Days celebration. Thank you in advance for your assistance with this matter.

If needed, I can be reached at (315) 727-0657 or clerk@villageofmarcellusny.gov

Sincerely,

A handwritten signature in black ink, appearing to read "Charnley Abbott".

Charnley Abbott, Chair
Marcellus Olde Home Days Committee



Town of Marcellus Parks and Recreation Department

22 East Main Street, Marcellus, NY 13108

phone: 315.673.3269 ext. 2 fax: 315.673.9132

email: park_rec@marcellusny.com

TO: Supervisor Attley, Councilor Clarke, Councilor Berwald, Councilor Pollard and Councilor Hoey

FROM: Don MacLachlan - Marcellus Parks and Recreation Director

RE: Parks and Recreation Report

DATE: January 29, 2026

Pavilion reservations are at 56 (\$7260 fees) since January 2nd. We have collected \$6285! This is an improvement over last year where we needed to collect a higher percentage of outstanding fees. Some improvements were made to the flow between our website and CommunityPass (online system) which seem to be helping.

Winter Wrestling is underway with 39 participants. New this year, participants received a shorts/t-shirt set all in hunter green of course. Todd Donovan and Matt Barnes head this program up. They offered a "try it for free" segment preceding the session.

Michele met with Ryann Riefler to discuss school and grounds usage. All requests have been inputted on the school site for our Summer Recreation programs.

On January 22nd an email blast was sent to notify our community of several dates, events and news. This was significant because families may begin planning their children's summer activities sooner than later! Last year, these dates were not solidified until mid-April. The e-mail read as follows:

The Town of Marcellus Parks and Recreation has added one more Moonlight Walk!

Please join us on **1/31/26 AND 2/28/26** for a lovely evening at Marcellus Park from the hours of 4-9. Enjoy a moonlit stroll, hot chocolate, smores and all of the beautiful sights and sounds.

Also, registration is now open for Diane Zarzecki's first 2026 eight-week session of Thursday's Yoga beginning 2/5/26 and going until 3/26/26. Registrations may be made online at Community Pass ([link at Town of Marcellus Website](#)) or in person at Town Hall on Tuesdays 8:30-1:30, Wednesdays 8:30-1:30 or Thursdays 11-4pm.

Planning for the 2026 Summer Recreation Program is underway with **Morning Playground beginning July 6th.**

Some dates to remember are:



Town of Marcellus Parks and Recreation Department

22 East Main Street, Marcellus, NY 13108

phone: 315.673.3269 ext. 2 fax: 315.673.9132

email: park_rec@marcellusny.com

Hoop Mania 6/29-7/2/26

Morning Playground 7/6-7/31/26

Hoop Mania Mini 7/6-7/9/26

NEW Pickleball!! 7/8-7/10/26

Gymnastics & Gymnastics Mini Camps 7/13-7/17/2026

Kindergarten Program 7/20-7/24/26

Golf Camp 7/20-7/24/26

Theatre Camp 7/20-7/31/26

Registrations open on-line on or about 3/1/26

And, not one, not two, but **THREE** Outdoor Movie nights are planned! 8/20, 9/12 & **9/26** (now changed to 10/3)

Lastly.....

The weather forecast is perfect for the ice rink. Come and skate at the park on our stellar rink! Bring your own skates/gear.

Town Clerk's Monthly Report
January 01, 2026 - January 31, 2026

Account#	Account Description	Fee Description	Qty	Local Share
A2544	Dog Licensing	Female, Spayed	15	144.00
		Female, Unspayed	2	34.00
		Male, Neutered	13	117.00
		Male, Unneutered	1	17.00
			Sub-Total:	\$312.00
A2545	Misc. Fees	Certified Copies - Marriage	1	10.00
	Passport	Passport	4	140.00
			Sub-Total:	\$150.00
A2590	Conservation	Conservation	1	0.28
	Haulers Permit	Haulers Permit	2	200.00
	Marr. Lic	Marriage Licensing Fees	1	17.50
			Sub-Total:	\$217.78
B2110	Building	Building	2	204.00
			Sub-Total:	\$204.00
				Total Local Shares Remitted: \$883.78
Amount paid to: NYS Ag. & Markets for spay/neuter program				38.00
Amount paid to: NYS Environmental Conservation				4.72
Amount paid to: State Health Dept. for Marriage Licenses				22.50
Total State, County & Local Revenues:		\$949.00	Total Non-Local Revenues:	
				\$65.22