

TOWN OF MARCELLUS
TOWN BOARD MEETING MINUTES

April 12, 2010

A regular meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on April 12, 2010 at 7:00 P.M. in the Town Hall, 24 East Main Street, Marcellus, New York. Those present were:

Daniel J. Ross, Supervisor
James A. Sheridan, Councilor
Thomas C. Lathrop, Councilor
Donald G. Sherman, Councilor
Kevin F. O'Hara, Councilor

Also present: Karen R. Pollard, Town Clerk; Laurie Stevens, Deputy Town Clerk; Margaret Gerbsch, Accountant; James Gascon, Counsel; Donald MacLachlan, Highway Superintendent; Mary Jo Paul, Marcellus Village Trustee; William Reagan, Codes Enforcement Officer; Garth Snyder, Crew Leader, Dawn O'Hara, James LaRose and Charles Paul

Supervisor Ross opened the meeting at 6:45 P.M.

Councilor Lathrop made a motion seconded by Councilor Sherman to adjourn to executive session to discuss a personnel matter at 6:46 P.M.

Councilor Sherman made a motion seconded by Councilor Lathrop to end the executive session and reconvene the regular town board meeting at 7:00 P. M.

Supervisor Ross led the attendees with the Pledge of Allegiance to the Flag.

Copies of the minutes of the Town Board Meeting held on March 8, 2010 and the Workshop Meeting held on March 25, 2010 was given to the Board Members. Councilor Lathrop made a motion seconded by Councilor Sherman to approve the minutes as presented. All voted aye.
Carried.

The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk, Abstract # 4, Claims #20100205 – 20100293 and Highway Claims #2010040 - 2010061.

	<u>Expenses</u>
General Fund	\$30,366.24
General Fund – Part Town	392.08
Highway – Town Wide	30,457.32
Highway – Part Town	151.86
Hydrant	889.98
Sewer	147.21
Water	11,366.75

Bills paid between meetings:

NYSE&G:

24 E. Main Street (clm 201)	\$717.46
Town Street Lighting (clm 202)	\$1276.55
24 E. Main Street (clm 203)	\$573.34
Check no. 22939	

State Insurance Fund (clm 204) \$55.07
Check no. 22942

Board Members were given copies of the Activity Report for March 2010 and monthly statement of bank balances as of March 31, 2010.

	<u>Total Revenue</u>	<u>Total Expense</u>
General Fund	\$3,984.64	\$33,360.70
General Fund – Part Town	-0-	7,430.73
Highway – Town Wide	44,317.80	37,321.00
Highway – Part Town	34,778.12	-0-
Fire	-0-	19,548.36

Councilor Lathrop made a motion seconded by Councilor Sheridan to approve and pay the bills, approve the monthly activity report for March 2010 and the monthly statement of bank balances as of March 31, 2010. All voted aye. Carried.

OLD BUSINESS:

Report from Department Liaisons:

Councilor Lathrop reported that the Marcellus Park has been very busy with the nice weather and especially during the Easter holiday.

Supervisor Ross advised the Board that Phil Coccia and Garth Snyder are opening the Welcome Center's restrooms until the renovations start. Mr. Ross expects to hear from the contractors this week to hopefully get the project underway.

Mr. Ross reported to the Board that Councilor Sherman and himself attended an award banquet in Utica put on by the New York Chapter of the American Public Works Association. The towns of Marcellus, Otisco and Spafford along with Barton & Loguidice and North Country Contractors received recognition as the Public Works Project of the Year for Southern Onondaga Area Water Districts.

Also, Mr. Ross will be attending a meeting on Thursday regarding the County's proposal for dividing the sales tax revenue.

Appointment for the Assessment Board of Review: Councilor Sherman made a motion seconded by Councilor O'Hara to appoint John J. Scanlon Jr. to the Assessment Board of Review with a term ending September 30, 2013. All voted aye. Carried.

NEW BUSINESS:

Southern Onondaga Water District: Approval of Vouchers #7, #8, #9:

Councilor Lathrop made a motion seconded by Councilor Sherman to approve the following payment in conjunction with the Southern Onondaga Area Water District:

Voucher #7	Craig Billinson	\$ 443.40
Voucher #8	Onondaga County Water	\$ 3,261.44
Voucher #9	M&T Investment Group	\$206,000.00

All voted aye.

Carried.

Recreation Agreements: ER Lacrosse Camp, Ultimate Goal Soccer Camp, Dog Training Class; Summer Concert: Alter Ego, Zumba Class:

Councilor Lathrop made a motions seconded by Councilor Sheridan to authorize the Supervisor to sign the following Recreations Agreements:

Summer Concert:	July 22	Alter Ego	\$600.00	
	July 8	Joanne Perry	\$600.00	
Basic Dog Training			\$240.00	
ER Lacrosse Camp			\$55/student without stick	
			\$35/student with stick	
Soccer Camp			\$20/student	
Zumba Fitness Class			\$40.00	
All voted aye.				Carried.

Recreation: Permissive Referendum for Purchase of Playground Mulch from Park Capital Reserve:

#003-10

**RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM**

At a regular meeting of the Town Board of the Town of Marcellus, held at the Town Hall, 24 East Main Street, in said Town, County of Onondaga and State of New York on April 12, 2010 at 7:00 P.M., there were:

PRESENT: Daniel J. Ross Supervisor
 Kevin O'Hara Councilor
 Donald G. Sherman Councilor
 Thomas C. Lathrop Councilor
 James A. Sheridan Councilor

WHEREAS, pursuant to Section 6-C of the General Municipal Law, the Town Board of the Town of Marcellus has created, by means of a resolution, a capital reserve fund known as the "Park Capital Reserve Fund" for purposes of funding for purchase of equipment, buildings and improvements for the physical betterment of the Town of Marcellus Park, such fund has been maintained in accordance with Section 10 of the General Municipal Law,

WHEREAS, the Town Board of the Town of Marcellus is desirous of expending monies from the Park Capital Reserve Fund of the Town of Marcellus for the purchase of playground mulch,

WHEREAS, the expenditure is not to exceed Two Thousand Eight Hundred Seventy-Five Dollars (\$2,875.00) and shall be paid from the Park Capital Reserve Fund,

NOW, THEREFORE, BE IT RESOLVED, that the playground mulch will be purchased from Parkitects, Inc. located at 138 Ludlowville Rd #1, Lansing, New York 14882. The Town will be purchasing 2300 units of wood-fiber mulch, delivered by 115 cubic yard truck load, at a cost of Two Thousand Eight Hundred Seventy-Five Dollars (\$2,875.00) and paid from the Park Capital Reserve Fund,

BE IT FURTHER RESOLVED that this resolution is subject to permissive referendum as provided in Article 7 of the Town Law, and

BE IT FURTHER RESOLVED that pursuant to Section 90 of the Town Law that within ten (10) days from the date of this resolution the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the resolution, shall contain an abstract of said resolution concisely setting forth the purpose and effect thereof, shall specify that this resolution was adopted subject to a permissive referendum, and shall publish such notice in the "Marcellus Observer", a newspaper published in Onondaga County having general circulation in the Town of Marcellus, and in addition thereto that the Town Clerk shall post or cause to be posted on the sign board of the Town of Marcellus, a copy of such notice within ten (10) days after the date of adoption of this resolution.

Said resolution was offered by Councilor Sherman and seconded by Councilor Sheridan.

VOTE:	Daniel J. Ross	Aye
	Kevin O'Hara	Aye
	Donald G. Sherman	Aye
	Thomas C. Lathrop	Aye
	James A. Sheridan	Aye

Resolution duly adopted.

Dated: April 12, 2010

Karen Pollard, Town Clerk, Town of Marcellus

Highway: Agreement for Aramark Uniform Service: Councilor O'Hara made a motion seconded by Councilor Sherman to authorize the Supervisor to sign an amended agreement with Aramark Uniform Services to provide uniforms for the Marcellus Highway Department. This agreement is contingent upon the approval of the Town Attorney. All voted aye. Carried.

Town Hall Roof Project: Award Bid: The bid opening for the Marcellus Town Hall Re-roofing project was held on March 25th at the Marcellus Town Hall. In total ten (10) bids were received. Low bidder was J & B Installations from Skaneateles Falls with a bid of \$29,449 for the re-roofing of Town Hall including asbestos abatement. Councilor Sherman made a motion seconded by Councilor O'Hara to approve the contract for the re-roofing and asbestos abatement project in the amount of \$24,449 to J & B Installations with the contract subject to approval of the Town Attorney. All voted aye. Carried.

Proposal for Asbestos Project and Air Monitoring for Town Hall: Along with the Town Hall re-roof project and asbestos abatement, asbestos project monitoring and air monitoring will be necessary. Asbestos & Environmental Consulting Corporation (AECC) has provided a quote for the work. Project monitoring and air sampling would be a fee of \$360/day. There would be additional fee of \$65/hour if overtime is necessary and a cost of \$8.00 to analyze the air samples. Councilor Sherman made a motion seconded by Supervisor Ross to contract with AECC to provide Project monitoring and air sampling with a fee of \$360/day and any necessary additional fees. The contract would be subject to approval of the Town Attorney. All voted aye. Carried.

NYSE&G: Request to Work Under Town Road: Councilor Lathrop made a motion seconded by Councilor Sherman to authorize the Supervisor to sign the request that was received from NYSE&G to tunnel under Deer Path Lane for the installation of a gas service to 4271 Deer Path Lane. All voted aye. Carried.

Town of Skaneateles: Request for Lead Agency: A letter dated March 23, 2010 was received from The Town of Skaneateles stating that the Town Board of Skaneateles has

introduced legislation amending the Skaneateles Town Code relating to Wind Energy Conversion Systems. The Town Board is willing to act as lead agency for this action and is asking if the Town of Marcellus has any objection. The Town of Marcellus has no objection to the Skaneateles Town Board acting as lead agency for amending the Skaneateles Town Code relating to Wind Energy Conversion Systems.

Authorize the Supervisor to Sign Grant Disbursement Agreement From Empire State Development Corporation - \$74,300: Councilor Lathrop made a motion seconded by Councilor Sheridan to authorize the Supervisor to sign the disbursement agreement with the Empire State Development Corporation for the Marcellus Fire Department roof in the amount of \$74,300.00. All voted aye. Carried.

Limeledge Water District: Approval of Bills: Councilor Lathrop made a motion seconded by Councilor Sheridan to authorize the payment of Limeledge Water District Abstract No. 4 - 2010. All voted aye. Carried.

Accept Justice Court Grant in Amount of \$6650: Councilor Sherman made a motion seconded by Councilor O'Hara to accept the grant from the Justice Court Assistance Program in the amount of \$6650, which will be used for new carpeting for the Town Hall offices and meeting room. All voted aye. Carried.

Authorize Purchase of Rug for Town Hall: Estimates were gathered from Best Step Floors, Richmark and Onondaga Flooring for the carpet and tile work to be done in the Town Hall. After a review of the quotes, Councilor Sheridan made a motion seconded by Councilor Sherman to award the project to Best Step Floors in the amount of \$4220 for Lees Faculty carpet to be installed in the meeting room and the Town Clerk's and Accountant's offices and the tiling of the two (2) restrooms and entry way. All voted aye. Carried.

Discussion Agenda

Items from the Board

Councilor Sheridan raised a question on charges from Barton & Loguidice that are from the Limeledge Water District. Mr. Sheridan is questioning one of the bills. Supervisor Ross advised Mr. Sheridan that this issue should be discussed in executive session.

Items from the Floor

Councilor Sheridan made a motion seconded by Councilor O'Hara to enter into executive session at 7:50pm for a discussion on a matter with legal counsel. All voted aye. Carried.

Councilor Sheridan made a motion seconded by Councilor Sherman to adjourn the executive session at 8:09pm and resume the regular Town Board meeting. All voted aye. Carried.

Councilor Sherman made a motion seconded by Councilor O'Hara to adjourn the Marcellus Town Board meeting at 8:10 P.M. All voted aye. Carried.

Respectfully submitted,

Karen R. Pollard, Town Clerk