

**TOWN OF MARCELLUS
TOWN BOARD MEETING MINUTES**

June 14, 2010

A regular meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on June 14, 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; Phil Coccia, Recreation Leader; Garth Snyder, Crew Leader; Chris Christensen, Member of ZBA and Planning Board; Robert Dorchester, Peg Nolan, Michael Muscate, Bernard Montgomery, Charles Levy, Charlie Black, James LaRose, Dawn O'Hara and Bill Burnette.

Supervisor Ross opened the meeting at 7 P.M. with the Pledge of Allegiance to the Flag.

PUBLIC HEARING: Revised Town Sign Ordinance

Supervisor Ross opened the Public Hearing at 7:01pm by stating that the legal notice calling for the public hearing appeared in the May 26th edition of the Marcellus Observer. Mr. Ross summarized the intent of the revisions as they pertain to the regulations of signs in the Town of Marcellus Zoning Law. It was noted that the Marcellus Planning Board reviewed the changes to the sign portion of the Zoning Law.

Supervisor Ross asked for anyone who wished to speak in favor or against the proposed changes to the sign portion of the Zoning Law to please state his or her name and address for the record. Hearing no comments or questions, the Supervisor asked the Board if they had any questions or comments.

Hearing none, Supervisor Ross closed the public hearing at 7:05pm.

Copies of the minutes of the Town Board Meeting held on May 10, 2010 and the Workshop Meeting held on May 27, 2010 was given to the Board Members. Councilor Sherman made a motion seconded by Councilor Lathrop 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 #6, Claims 20100354 – 20100445 and Highway Claims #2010077 - 2010093.

	<u>Expenses</u>
General Fund	\$44,208.91
General Fund – Part Town	640.70
Highway – Town Wide	3,578.98

Highway – Part Town	2,875.00
Sewer	21,722.94

Bills paid between meetings:

NYSE&G:

24 E. Main Street (clm 351)	\$ 302.12
24 E. Main Street (clm 352)	\$ 427.02
Town Street Lighting (clm 353)	\$1159.32

Check no. 23055

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

	<u>Total Revenue</u>	<u>Total Expense</u>
General Fund	\$20,240.54	\$79,598.88
General Fund – Part Town	1,516.00	6,881.50
Highway – Town Wide	31.25	13,016.97
Highway – Part Town	-0-	23,376.69
Fire	-0-	-0-

Councilor O’Hara made a motion seconded by Supervisor Ross to approve and pay the bills, approve the monthly activity for May 2010 and the monthly statement of bank balances as of May 31, 2010. All voted aye. Carried.

OLD BUSINESS:

Report from Department Liaisons:

Councilor Lathrop reported that the Governor has signed the appropriate paperwork for the CHiPS program, so the funding should be on its way.

Supervisor Ross informed the Board that a Farmland Protection publication was received and is available.

Supervisor Ross distributed to the Board a publication written by the Town Supervisor of Layette, which deals with recent decision by Onondaga County on how the sales tax revenue will be split with the towns, villages and schools.

Mr. Ross advised the Board of the recent meeting he had with Lloyd Lathrop. Mr. Lathrop is filming a fictional retro-horror movie in the area and wanted the Town aware of it. The scenes would be exterior shots. Mr. Lathrop will provide a written synopsis of his plans.

NEW BUSINESS:

Lions Club: Request for Duck Race in Marcellus Park on August 15th: The Martisco Lion's Club will be holding their annual Duck Derby and Family Fun Day in the Marcellus Park at the Grove area on August 15th. Chairperson, Mick Levy, has written a letter to the Board to that effect and was on hand to answer any questions. Mr. Levy also asked if there would be any objection from the Board if the Marcellus Fire Department had a fire truck on display at the event. Councilor Lathrop made a motion seconded by Councilor Sherman to allow the Martisco Lion's Club to hold the Duck

Derby and Family Fun Day on August 15th with a Marcellus Fire Truck on display in the Grove area of Marcellus Park. All voted aye. Carried.

Recreation Agreement: Syracuse Symphony and Summer Gymnastics: Councilor Lathrop made a motion seconded by Councilor O'Hara to authorize the Supervisor to enter into the following agreements for the Recreation Department:

Summer Gymnastics Camp	July 19 – July 23	\$35/student
Syracuse Symphony Orchestra	July 23	\$700.00

All voted aye. Carried.

Welcome Center Project: Change Orders: Supervisor Ross lead the Board through a discussion on the change orders for the Welcome Center renovations that is under way at the Marcellus Park. The change orders are as follows:

Change Order No. 1: was the project sign	+ \$500.00
Change Order No. 2: Credit for PVC piping	- \$1,300.00
Change Order No. 3: Not awarded	
Change Order No. 4: Toilet Tissue Dispensers	+ \$863.00
Change Order No. 5: New Electric pole	+ \$1,940.00
Change Order No. 6: Not awarded	
Change Order No. 7: New plumbing lines	+ \$1,300.00
Change Order No. 8: New Lintels	+ \$2,275.00

Councilor Lathrop made a motion seconded by Councilor Sherman to authorize the Supervisor to sign change orders one (1) through eight (8), with three (3) and six (6) not awarded, for the Welcome Center renovations. All voted aye. Carried.

Change the Terms of Town Clerk, Highway Superintendent and Tax Collector from Two Years to Four Years:

#006-10

**TOWN BOARD RESOLUTION
TOWN OF MARCELLUS**

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 June 14, 2010, at 7:00 P.M., there were:

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

WHEREAS, Supervisor Ross introduced proposed Local Law No. A-2010, to change the term of office for the offices of Town Clerk, Town Superintendent of Highways and Town Tax Collector from two years to four year in the Town of Marcellus, and made the following motion, which was seconded by Councilor Sherman.

WHEREAS, pursuant to Municipal Home Rule Law Section 10(1)(ii)(a)(1), Town are permitted to adopt local laws relating to the term of office of its officers and employees; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Marcellus, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter.

NOW, THEREFORE, BE IT RESOLVED, that this Board shall act as lead agency, the enactment of proposed Local Law No. A-2010 is an unlisted action and will have no adverse impact effect on the environment in accordance with 6 N.Y.C.R.R. Part 617, and, therefore, this Board issues a negative declaration for purposes of SEQR; and it is further

RESOLVED, that the Town Board conduct a public hearing as to the enactment of proposed Local Law No. A-2010 at the Town Hall located at 24 East Main Street in the Town of Marcellus on July 12, 2010 at 7:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

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

Resolution duly adopted.

Dated: June 14, 2010

Town of Geddes Resolution for the Board's Consideration: Supervisor Ross discussed the Town of Geddes' resolution with the Board that calls for a consolidation of the County Government by eliminating the County Legislature and Executive and returning to a Board of Supervisors form of County Government. This topic will be discussed further at the next workshop meeting.

Refund for a Building Permit: A request was received from McClurg Remodeling for a refund of a building permit fee for a project that did not happen. The amount of the fee is \$40.00. Councilor Sheridan made a motion seconded by Councilor Lathrop to refund to McClurg Remodeling \$40.00 in permit fees for a building project that did not proceed. All voted aye. Carried.

Limeledge Water: Change Order No. 2: Change Order No. 2 for the Limeledge Water Districts was received reflecting a credit of \$18,403.23 for the interior steel rehabilitation at the Highland Tank. The original project contract price for this work was \$25,000, when the work was completed in only required \$6,596.77. Councilor Sherman made a motion seconded by Councilor O'Hara to authorize the Supervisor to sign Change Order No. 2 for a work allowance credit in the amount of \$18,403.23. All voted aye. Carried.

Southern Onondaga Water District: Approval of Vouchers #12,13,14:

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

Voucher #12	Craig Billinson & Associates	\$ 346.88
Voucher #13	Hiscock & Barclay	\$26,088.01
Voucher #14	Onondaga County Clerk	\$ 221.50

All voted aye.

Carried.

Ninemile Creek Study: A request was received from Timothy Daniluk, student of Syracuse University in the Department of Earth Sciences for permission to repeat the study they performed last year in the portion of Ninemile Creek that is in Marcellus Park. Councilor Sheridan made a motion seconded by Councilor O’Hara to grant permission to Timothy Daniluk to conduct the study of Ninemile Creek. All voted aye. Carried. The Board invited Mr. Daniluk to speak to them on the findings of his study.

Appointment: Codes: Councilor Lathrop made a motion seconded by Councilor Sherman to appoint Stephen Rudolph to the position of Deputy Codes Enforcement Officer effective July 1, 2010 to May 31, 2011 at \$18.00/hour for 7.5 hours a week contingent upon the approval of an intermunicipal contract with the Village of Marcellus. All voted aye. Carried.

Village Cemetery: Fence: Peg Nolan, President of the Marcellus Historical Society, appeared before the Board concerning the condition of the fence that is around the Village Cemetery. It needs to be cleaned and painted to prevent any further damage to it. Councilor O’Hara made a motion seconded by Supervisor Ross to provide the materials to paint the fence with the work done by volunteers. All voted aye. Carried.

Accept Purchase Agreement for Fire Barn and Sewage Line and Pump Agreement: Counsel, James Gascon, presented to the Board the following documents for the purchase of the Marcellus Fire Hall; a Purchase and Sale Agreement, Sewage Line and Pump Agreement Short Environmental Assessment Form and Bond Resolution. This purchase would be subject to a permissive referendum and the ability of the Town to obtain sufficient bonding. Councilor Lathrop questioned paragraph 3, letter (a) of the Purchase and Sale Agreement. After a discussion, it was determined that the word “seller” should be stricken and should read “...returned or paid to Purchaser in the event...”. It was also determined to amend the Sewage Line and Pump Agreement to be contingent upon the successful purchase of the Marcellus Fire Hall and amend item two (2) to read “such sewer service at a rate commensurate with water entering the sewer system, to be billed by the Village on a quarterly basis.” Supervisor Ross made a motion seconded by Councilor Lathrop to authorize the Supervisor to sign the Purchase and Sale Agreement and Sewage Line and Pump Agreement, with the aforementioned changes to the Purchase and Sale Agreement and Sewage Line and Pump Agreement. Note the Sewage Line and Pump Agreement is contingent upon the successful purchase of the Marcellus Fire Hall. All voted aye. Carried.

Disposal of Air Raid Siren: At the June 11, 2007 Town Board meeting, Mr. Joseph Weinberger appeared before the Board with a request to obtain the air raid siren that is located on the roof of the Town Hall. During the recent re-roofing project the siren was removed. Mr. Weinberger has contacted the Town to renew his request. The siren was first offered to the Marcellus Historical Society, as it is part of local history. They declined the offer. Councilor Lathrop made a motion seconded by Councilor Sherman to declare the air raid siren of “no value” and to allow Mr. Weinberger take the air raid siren at his cost. All voted aye. Carried.

Limeledge Water District: Approval of Bills: Councilor Lathrop made a motion seconded by Councilor Sherman to authorize the payment of Limeledge Water District Abstract No. 6 - 2010. All voted aye. Carried. The Board requested the status of the Limeledge Water District.

Resignation of Deputy Town Clerk: Supervisor Ross made a motion seconded by Councilor O'Hara to accept with regret the resignation of Laurie Stevens as full time Deputy Clerk. All voted aye. Carried.

Karen Pollard, Town Clerk, requested to hire Laurie Stevens as a part-time Deputy Clerk in order for her to help out on as needed basis. Councilor Sherman made a motion seconded by Councilor Lathrop to appoint Laurie Stevens as a part time Deputy Clerk. All voted aye. Carried.

Councilor O'Hara made a motion seconded by Councilor Sheridan to enact the revised sign ordinance as presented. All voted aye. Carried.

Discussion Agenda

Items from the Board

Councilor O'Hara would like to discuss at the next workshop meeting of the Town Board the possibility of the Marcellus Village Police covering the Marcellus Park and the Marcellus School. It is his understanding that it could be done at no extra cost.

Items from the Floor: None

Councilor O'Hara made a motion seconded by Supervisor Ross to adjourn the Marcellus Town Board meeting at 9:07 P.M. All voted aye. Carried.

Respectfully submitted,

Karen R. Pollard, Town Clerk