

**TOWN OF MARCELLUS
SPECIAL TOWN BOARD MEETING MINUTES**

July 29,2010

A special meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on July 29, 2010 at 5:00 P.M. in the Town Hall, 24 East Main Street, Marcellus, New York. Those present were:

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

Also present: Karen R. Pollard, Town Clerk; James Gascon, Counsel, Phil Coccia, Recreation Leader and Bernard Montgomery

Supervisor Ross opened the meeting at 5 P.M.

Supervisor Ross advised the Board that Jeff Berwald, of the Marcellus Fire Department presented to the Town Clerk a petition on July 28, 2010 in opposition of the Town of Marcellus purchasing the Marcellus Fire Department building. The petition has approximately three hundred eighty five (385) signatures. Counsel Gascon reviewed the wording of the petition and noted the date it was received at by the Town Clerk. The cover letter of the petition states "This is submitted within the thirty (30) days from which the public notice was printed in the Marcellus Observer on June 30, 2010." Mr. Gascon researched the question does the 30 days start from the printing of the public notice or is it 30 days from the date of adoption of the resolution. He advised the Board that the 30 days starts from the date of adoption and in this case it was June 24, 2010 therefore making the deadline for submission of a petition July 26, 2010. The submission of the petition on July 28 was two (2) days late. After a discussion, Supervisor Ross made a motion seconded by Councilor Sheridan to reject the petition, as it was not filed in a timely manner. All voted aye. Carried.

Councilor Lathrop entered the meeting at 5:12 pm wanted to be on record as being in favor of rejecting the petition grounds that it was not filed timely.

A statement from Mayor John Curtin in support of the Town purchasing the Fire Department building was given to the Board.

Councilor O'Hara made a motion seconded by Councilor Lathrop to adjourn the Special Marcellus Town Board meeting at 5:16 P.M. All voted aye. Carried.

Respectfully submitted,

Karen R. Pollard, Town Clerk