

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

September 12, 2011

A regular meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on September 12, 2011 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: Sandy Taylor, Deputy Town Clerk; Tracie Barnes, Bookkeeper, Jim Gascon, Town Attorney, William Reagan, Codes Enforcement Officer, Phil Coccia Recreation Leader; Linda Wilcox, Gary Wilcox and Mary Jo Paul.

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

Copies of the minutes of the Town Board Meeting held on August 8, 2011 and the Workshop Meeting held on August 25, 2011 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 #9 as of September 12, 2011, Claims # 201100623 - 201100709 and Highway Claims # 201100154 – 201100183.

	<u>Expenses</u>
General Fund	\$50,863.24
General Fund – Part Town	1,005.37
Highway – Town Wide	38,191.91
Highway – Part Town	85,071.14
Ambulance Fund	97.22
Trust & Agency	55.85

Bills paid between meetings:

AFLAC – Aug Premium	246.80
Excellus BCBS (Sept. Retiree Insurance)	1,969.20
Excellus BCBS (Sept. Insurance Pre. – Employees)	17,694.44
Simply Prescriptions (Sept Prescription Coverage – Retirees)	1,026.18
Sarah Hettinger (July, Aug., Sept. Medicare reimbursement)	238.98

Board Members were given copies of the Activity Report as of September. 10, 2011 and monthly statement of bank balances as of September 12, 2011.

	<u>Total Revenue</u>	<u>Total Expense</u>
General Fund	\$1,227, 027.55	\$ 786,800.19
General Fund – Part Town	111,000.02	59,040.06
Highway – Town Wide	477,316.59	336,988.16
Highway – Part Town	315,375.12	251,152.23
Fire		

Councilor Sheridan had a question on why we are paying Windstream for the Highway phone. Supervisor Ross explained that it is taking time to convert all the phones to Time Warner, but that it should be done very soon.

Councilor Sherman made a motion seconded by Councilor Lathrop to approve and pay the bills, approve the monthly activity report as of September 10, 2011 and the monthly statement of bank balances as of September 12, 2011. All voted aye. Carried.

**OLD BUSINESS:**

**Report from Department Liaisons:**

Mr. Coccia, Recreation Leader stated that the park had over 200 reservations this year.

**Highway: Lease of Excavator:** Councilor Lathrop made a motion to move ahead with the lease agreement for the Caterpillar Excavator. Mr. Sherman seconded this. The amount will be \$1,643.22 per month. The lease Agreement for the Caterpillar Excavator 305DCR was reviewed and unanimously approved by all councilmen in its entirety, and pursuant to the authorizing resolution form attachment “B” to said Agreement, upon the approval of the Town Attorney and the Supervisor was further authorized to execute the Agreement on behalf of the Town. All voted aye. Carried.

**NEW BUSINESS:**

**Authorize the use of Coon Hill Road for the Coon Hill Bike Trail:** Supervisor Ross stated that this was reviewed at the work session. Councilor Lathrop made a motion to approve the use of Coon Hill Road for the Coon Hill Bike Trail. Councilor Sherman seconded this. All voted aye. Carried.

**Authorize the Sale of Surplus Equipment:** Councilor Lathrop made a motion to authorize the sale of the following equipment by Auctions International.

Councilor O’Hara seconded the sale of the following equipment:

1 -1990 John Deere 240 Tractor	\$ 283.13
2 - 8-ft. Sander Box	1,396.50
3 – Lot of Office Desks	62.70
4 - 2001 Dodge Ram Sport 3500 Dump Truck (VIN# 3B6MF36661M253128)	7,687.77

The amounts listed were paid to Auctions International.

All voted aye.

Carried.

**Authorize Contract with Gallagher Painting:** Councilor O'Hara made a motion to authorize the contract with Gallagher Painting for the painting of trim and windows on the outside of the Town Hall. The cost of the job would be \$4,640 (tax exempt). Councilor Sherman seconded this motion. All voted aye. Carried.

Supervisor Ross stated that drapery contract that was discussed at the Workshop Meeting will be included with the JCAP grant along with the heating/ac unit. Supervisor Ross also mentioned that Scott McClurg, of McClurg Construction, would be here on Wednesday, September 14, 2011 at 2:00 pm to look at the heating/ac unit if anyone would like to come.

**Shared Technologies: Town Hall Telephone Agreement:** Councilor Sherman made a motion to renew the Town Hall Telephone maintenance agreement for the amount of \$1,016.16. This is the same amount as last year. This was seconded by Councilor Lathrop. All voted aye. Carried.

**Set Date for Board to receive Preliminary Budget:** Supervisor Ross suggested that The Board meet on Tuesday, October 4, 2011 at 5:00 pm to receive the preliminary budget. At that time, the board will schedule budget reviews with each department. Councilor O'Hara made a motion that Tuesday, Oct. 4, 2011 the board will meet to receive the preliminary budget. Councilor Lathrop seconded this motion. All voted aye. Carried.

### **Discussion Agenda**

#### **Items from the Board:**

Supervisor Ross stated that he received a guide from the Comptrollers Office regarding the Property Tax Cap. The Comptrollers Office may become more involved in the budget issues. As of right now, there are still a lot of unanswered questions.

Supervisor Ross and Tracie Barnes, Bookkeeper, will be getting information together for the Workshop Meeting on switching energy suppliers.

Donald MacLachlan, Highway Superintendent, entered the meeting at 7:25.

FEMA was in on Monday, Sept. 12, 2011 and The Town will be getting some money back.

**Sewer Agreement:** A question was brought up by the Board regarding the Sewer Agreement between the Town and the Village. Jim Gascon, Town Attorney will be meeting with the Village Attorney to draft up an Agreement that will run through the end of this year. This draft will supercede any other sewer agreement extensions.

**Fire Department:** Councilor Lathrop asked what is going on with the Fire Department. Supervisor Ross stated that we are waiting on the Fire Department to come back to us after they talk to their members.

Tracie Barnes, Bookkeeper, said that she is working with Barton and Loguidice to clear up all the outstanding bills from May 2010. She is looking into what all the sub-contractors have been paid.

There was discussion on the PILOT (Payment in Lieu of Taxes) Agreement. Jim Gascon, Town Attorney, will be checking to see if there will be an increase in 2012.

It was mentioned that there would be a Hydrofracking Meeting at the Sherwood Inn in Skaneateles on Thursday, September 15, 2011. Lunch will be at 12:00 noon for \$15.00 each. The meeting will start at 1:00. All are welcome.

**#008-11**

**TOWN BOARD RESOLUTION  
TOWN OF MARCELLUS**

**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 September 12, 2011, at 7:00 P.M., there were:

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

**WHEREAS**, recent flooding has caused significant structural damage to the foundation of the Garth Snyder Bridge, a foot bridge situated over Nine Mile Creek in the Marcellus Town Park, causing a public safety concern and necessitating immediate repair; and

**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 the purchase and repair of equipment, buildings and improvements for the physical betterment of the Town of Marcellus Park; and

**WHEREAS**, such fund has been maintained in accordance with Section 10 of the General Municipal Law; and

**WHEREAS**, the Town Board of the Town of Marcellus, upon receipt of a bona fide estimate, has determined that the repairs to the Garth Snyder Bridge can be accomplished for a maximum cost of \$9,800; and

**WHEREAS**, the Town Board of the Town of Marcellus believes that the expenditure of \$9,800 from the Park Capital Fund to repair the foundation of the Garth Snyder Bridge is necessary to allow the public's continued use of the Marcellus Town Park in a safe manner.

**NOW THEREFORE, BE IT RESOLVED**, the Town of Marcellus Supervisor of Parks and Recreation is hereby authorized to expend an amount not to exceed \$9,800 from the Park Capital Fund Reserve Fund for purposes of repairing the Garth Snyder Bridge in the Marcellus Town Park; and

**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 Lathrop and seconded by Councilor O'Hara.

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

**Resolution duly adopted.**  
**Dated: September 12, 2011**

**ITEMS FROM THE FLOOR:** Nothing from the floor.

Councilor Sherman made a motion seconded by Councilor O'Hara to adjourn the Marcellus Town Board meeting at 8:05 P.M. All voted aye.  
Carried.

Respectfully submitted,

Sandy Taylor, Deputy Town Clerk

