

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

January 26, 2012

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

Daniel J. Ross, Supervisor
Thomas C. Lathrop, Councilor
Donald G. Sherman, Councilor
Kevin F. O'Hara, Councilor
Peter Hakes, Councilor

Also present: Karen R. Pollard, Town Clerk; Sandy Taylor, Deputy Town Clerk; James Gascon, Counsel; William Reagan, Codes Enforcement Officer; Phil Coccia, Recreation Leader; Mary Jo Paul, Chuck Paul, Pam Carey, Joanne Sedgwick, Peg Kronen, Bernard Montgomery, Steve Burns, Jane Amidon, David Card, Tim Manahan and Anita Williams.

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

Public Hearing: A Local Law Further Extending a Moratorium on Hydraulic Fracturing and/or Hydrofracking in the Town of Marcellus:

Supervisor Ross opened the Public Hearing for the proposed Local Law Extending the Moratorium on Hydraulic Fracturing and Hydrofracking in the Town of Marcellus by reading the legal notice that was published in the January 18, 2012 edition of the Eagle Observer. This law would be in effect for a period from January 25, 2012 to January 25, 2013.

Supervisor Ross asked for anyone who wished to speak in opposition of the proposed Local Law to please state his or her name and address for the record. No one spoke.

Supervisor Ross asked for anyone who wished to speak in favor of the proposed Local Law to please state his or her name and address for the record.

Anita Williams, 4406 Bellflower and President of the Otisco Lake Preservation Association, first thanked the Board for attending the recent workshop on this issue. The protection of the Otisco Lake Watershed is of primary concern and is in support of the moratorium. If any committee is formed to investigate this issue she would be willing to participate.

Peg Kronen, 2589 Otisco Valley Road, advised the Board that she had signed a lease with the gas company, Chesapeake Energy and is actively pursuing avenues to get out of the lease. Ms. Kronen spoke to the increased truck traffic on Otisco Valley Road because of the mining of the gravel and clay beds. She feels that this type of mining activity would cause even more traffic.

Hearing no other comments from the floor, Mr. Ross asked the Board if they had any comments.

With no comments from the Board, Mr. Ross closed the public hearing on the proposed Local Law at 7:15.

NEW BUSINESS:

Enact Proposed Local Law on Moratorium on Hydrofracking:

#06-012

**TOWN BOARD RESOLUTION
TOWN OF MARCELLUS**

At a special 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 January 26, 2012, at 7:00 P.M., there were:

PRESENT:	Daniel J. Ross	Supervisor
	Peter Hakes	Councilor
	Donald G. Sherman	Councilor
	Thomas C. Lathrop	Councilor
	Kevin O'Hara	Councilor

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. 4-2012, "A Local Law Further Extending the Moratorium on Hydraulic Fracturing and/or Hydrofracking in the Town of Marcellus," was presented and introduced at a regular meeting of the Town Board of the Town of Marcellus held on January 9, 2012; and

WHEREAS, a public hearing was held on such proposed local law on the 26th day of January, 2012 by the Town Board of the Town of Marcellus and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Marcellus in its final form in the manner required by Section 20 of the Municipal Home Rule Law of the State of New York; and

WHEREAS, the New York State Environmental Quality Review (SEQR) process for this action was completed by this Board at its January 9, 2012, meeting, this Board, having determined 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 SEQR, assumed lead agency status and determined this to be an unlisted action with no significant adverse effect; and

WHEREAS, it is in the public's interest to enact said proposed Local Law No. 4-2012.

NOW, upon the Motion of Councilor Lathrop and seconded by Councilor O'Hara,

IT IS HEREBY RESOLVED, that the Town Board of the Town of Marcellus, Onondaga County, New York, does hereby enact proposed Local Law No. A-2012 as Local Law 4 of 2012 follows:

**“TOWN OF MARCELLUS
PROPOSED LOCAL LAW NO. 4-2012**

**A LOCAL LAW FURTHER EXTENDING THE MORATORIUM
ON HYDRAULIC FRACTURING AND/OR HYDROFRACKING IN
THE TOWN OF MARCELLUS**

Be it enacted by the Town Board of the Town of Marcellus, as follows:

Section 1. The moratorium on hydraulic fracturing and/or hydrofracking in the Town of Marcellus, originally enacted as Local Law No. 2-2011, is hereby extended for an additional twelve (12) months, commencing January 25, 2012, and terminating January 25, 2013 or until the Town of Marcellus enacts comprehensive legislation regulating hydraulic fracturing and/or hydrofracking, whichever shall first occur.

Section 2. This local law shall take effect immediately.”

The question of the adoption of the foregoing Resolution was duly put to a vote and upon roll call, the vote was as follows:

VOTE:	Daniel J. Ross	Aye
	Peter Hakes	Aye
	Donald G. Sherman	Aye
	Thomas C. Lathrop	Aye
	Kevin F. O’Hara	Aye

Resolution duly adopted.

Dated: January 26, 2012

Review plans for Welcome Center Renovations with Friends of Marcellus Park:

Pam Carey, President of the Friends of Marcellus Park, presented to the Board a proposal for improvements to the Welcome Center located in Marcellus Park. She introduced Tim Manahan of Go-To Guy Handy Man Service LLC who would be the contractor for the renovations. Ms. Carey went over the proposal and answered questions from the Board. Phil Coccia, Recreation Leader, advised the Board and Ms. Carey that the project has to be done by March 1st as there are events scheduled for mid March. Supervisor Ross thanked Ms. Carey on the efforts of the Friends of the Marcellus Park. Councilor Lathrop made a motion seconded by Councilor O’Hara to approve the renovations at the Welcome Center funded by the Friends of Marcellus Park. All voted aye. Carried.

Councilor O’Hara made a motion seconded by Councilor Lathrop to adjourn the Marcellus Town Board meeting at 7:30 P.M. All voted aye. Carried.

Respectfully submitted,

Karen R. Pollard, Town Clerk