

**TOWN OF MARCELLUS  
TOWN BOARD MEETING MINUTES**

October 17, 2013

A regular meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on Thursday, October 17, 2013 at 7:00 p.m. in the Marcellus Fire Station, 4242 Slate Hill Road, Marcellus, New York. Those present were:

Daniel J. Ross, Supervisor  
 Thomas C. Lathrop, Councilor  
 John Scanlon, Councilor  
 Kevin F. O’Hara, Councilor  
 Peter Hakes, Councilor

Also present: Jim Gascon, Town Attorney; Sandy Taylor, Town Clerk; Susan Dennis, Deputy Town Clerk; John Houser, Codes Enforcement Officer; Phil Coccia, Recreation Director; Garth Snyder, Park Director; and approximately 60 Town Residents.

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

Copies of the minutes of the Hearing that was held on August 28, 2013, Town Board Meeting held on September 9, 2013, Workshop Meeting held on September 26, 2013, Tentative Budget Meeting held on Oct. 3, 2013, Special Meeting held on October 9, 2013, Budget Workshop Meeting held on October 9, 2013, and a Special Meeting held on October 10, 2013, was given to the Board Members. Councilor Scanlon made a motion seconded by Councilor O’Hara to approve the minutes as presented. Ayes – Ross, Scanlon, Hakes, O’Hara and Lathrop. Carried.

The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk, Abstract #10 as of October 17, 2013. Claims # 130481, 130491, 130492, 130512-130597.

	<u>Expenses</u>
General Fund	\$ 51,379.90
General Fund – Part Town	308.96
Highway – Town Wide	14,648.82
Highway – Part Town	15,681.89
Capital Projects	137.00
Ambulance Fund	65,548.25
Sewer	24,422.36
Trust & Agency	4,266.35
	<hr/> \$176,393.53

Board Members were given copies of the Activity Report as of October 17, 2013 and monthly statement of bank balances as of October 17, 2013.

	<u>Total Revenue</u>	<u>Total Expense</u>
General Fund	\$1,153,338.52	\$1,037,739.49
General Fund – Part Town	116,330.04	63,007.82

Highway – Town Wide	481,376.90	313,361.24
Highway – Part Town	299,387.01	306,134.23
Capital Projects		2,841.68
Fire District	590,329.33	643,574.26
Hydrant Fund	1,900.84	825.33
Ambulance Fund	275,274.24	274,532.00
Sewer District	127,955.33	156,289.68
Water District	202,238.40	88,989.60

Councilor Hakes made a motion seconded by Supervisor Ross to approve and pay the bills, approve the monthly activity report as of October 17, 2013 and the monthly statement of bank balances as of October 17, 2013. Ayes – Ross, Scanlon, Hakes, O’Hara and Lathrop. Carried.

**OLD BUSINESS:**

**Report from Department Liaisons:** None

**NEW BUSINESS:**

**Grant for Stormwater Program Assistance:** CNY RPDB will be submitting a grant application to the NYS Dept. of Environmental Conservation (Water Quality Improvement Project Grants Program in order to assist MS4s with their stormwater management programs. A motion was made by Councilor Lathrop and seconded by Councilor O’Hara to have the supervisor sign the letter of intent to participate in this Stormwater Program Assistance. Ayes – Ross, Scanlon, Hakes, O’Hara and Lathrop. Carried.

**Audit Proposal from Firley, Moran, Freer and Eassa:** Jim Gascon, Town Attorney, Stated that the HR Consultants recommend that the 2012 and 2013 Time Cards be audited. The firm of Firley, Moran, Freer and Eassa is a local firm and the cost is a Little lower. A motion was made by Councilor Hakes and Seconded by Councilor O’Hara to approve the audit proposal from Firley, Moran, Freer and Eassa. Ayes – Ross, Scanlon, Hakes, O’Hara and Lathrop. Carried.

**Set Date For Public Hearing on 2014 Budget:** A motion was made by Councilor O’Hara and seconded by Councilor Scanlon to schedule the Public Hearing on the 2014 Preliminary Budget on Thursday, November 7, 2013 at 7:00 pm. Ayes- Ross, Scanlon, Hakes, O’Hara and Lathrop. Carried.

**DEC Contract for Town Clerk:** A motion was made by Councilor Lathrop Authorizing the Town Clerk to sign the DECALS contract with the New York State Department of Environmental Conservation on behalf of the Town of Marcellus. This motion was seconded by Councilor Scanlon. Ayes – Ross, Scanlon, Hakes, O’Hara and Lathrop. Carried.

**Jack Scalice – Sage Meadows Sidewalk District:** A petition was received from the residents of Sage Meadows in Marcellus, NY against having sidewalks installed.

**Discussion Agenda**

**Items from the Board:** None

**Items from the Floor:** Supervisor Ross explained to the residents what has been happening to date with the Highway Department and the investigations that are still on going. He also stated that anyone wishing to speak should state their name, direct comments to the Board and have only one person talking at a time.

A resident from Flower Lane, questioned the Board about personal conduct and everyone taking Anger Management Classes. He also asked why all employees don't have the same rights, meaning some people's names are blurted out and some are not. This resident feels that this is politically motivated and that there may be a law suit when this is all over.

A resident from Rt. 174 asked about the audit proposal and how that will be paid.

A resident from Deer Path Circle stated that this has to stop. If a Board Member Speaks out and the others don't like it, they need to stop that member. This resident Also feels that certain employees have a good case for a law suit.

A Dublin Road resident asked if this started in 2004 why it has taken so long to bring allegations forward.

Supervisor Ross stated that everyone needs to treat each other with a little more respect. The Board is committed to working with the Highway Department to have a more pleasant workplace.

A Dublin Road resident asked why nothing has been done in the past 9 months and recommended that the Board get the County Comptroller involved. This resident asked Two Board Members, Councilor Lathrop and Councilor Scanlon, to remove themselves from the issue at the Highway Department.

A resident from Masters Road spoke about a mailbox incident that happened at the end of last year. He felt he didn't receive respect from Supervisor Ross.

A resident from First Street thanked everyone who is doing their job and stated that if there is a conflict of interest – some people from the Board need to Excuse themselves from the Highway Department issues.

Jim Gascon, Town Attorney, stated that The Board referred matters out to a third party. The Board is not equipped to handle a criminal investigation. The Board also referred the HR complaint to Public Sector.

An Otisco Valley Road resident asked about doing another H.R. Report. Asked what was found in the first report. Also, regarding the light poles, this is making a mountain out of a mole hill.

Jim Gascon, Town Attorney, responded that the Board is making 7–8 recommendations from the outcome of the first H. R. Report.

A South Street Resident, asked about a FOIL request that was denied from The Town Attorney and asked if she should appeal to the Marcellus Court or the Supreme Court.

A Scotch Hill resident asked why everyone isn't being treated fairly. One of the Highway Department members hasn't even had a chance to respond to the allegations.

Peter Hakes, Councilor, stated that we are all waiting on the results of the Investigations. The Board would like to get to the bottom of all this. We want answers so that we can move on.

A Limeledge Road resident stated that these issues should end and an apology should be made to Don MacLachlan.

A resident from Falls Road stated that we are should be working together. Marcellus is now a laughing stock. He also stated that Don MacLachlan will do anything for anyone in this Town. This resident also stated that there may be some law suits.

Where does all the money come from to pay for all these audits and investigations? asked a Flower Lane resident. Supervisor Ross stated from the General Fund and the Accumulated Fund Balance.

It was suggested by a resident that all the lawyers meet and get this over with. We are spending too much money.

A Scotch Hill resident stated that a card swipe was requested to get into the Highway Department years ago.

“Don't micro manage” was the advice of a Deer Path Circle resident.

Jim Gascon, Town Attorney, apologized to a resident and said he was very sorry to have offended her. He didn't mean to.

A Dublin Road resident stated that everyone should “be fair”. If there are any future meetings, all employees involved should be told at the same time.

A woman stated that she had been living with one of the whistleblowers for years and That he is not as faithful as everyone thinks. She feels that these issues have taken a Hit on all families involved. Even the children are feeling it and it needs to stop.

A North Street resident stated that he has moved back here after being away and This whole Highway issue is making the Town look like idiots.

Peter Hakes, Councilor, thanked everyone for coming. Stated that we appreciate any input that we get and that we will get through this hurdle.

Councilor Hakes made a motion seconded by Councilor O’Hara to adjourn the Marcellus Town Board meeting at 9:40 P.M. Ayes – Ross, Scanlon, Hakes, O’Hara and Lathrop. Carried.

Respectfully submitted,

Sandy Taylor, Town Clerk