

TOWN OF MARCELLUS
TOWN BOARD MEETING MINUTES
November 7, 2013

A regular meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on Thursday, November 7, 2013 at 7:00 pm., 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: Susan Dennis, Deputy Town Clerk; Jim Gascon, Town Attorney; Phil Coccia, Recreation Director; John Houser, Codes Enforcement Officer; Don MacLachlan, Highway Superintendent; approximately 20 town residents; Sandy Taylor, Town Clerk.

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

Public Hearing-2014 Budget: The first order of business was the public hearing on the 2014 Preliminary Budget. Supervisor Ross read the notice of public hearing that was published in the Marcellus Observer on October 30, 2013 and is on file in the Town Clerk's office. The notice is as follows:

TOWN OF MARCELLUS
OFFICIAL NOTICE
OF PUBLIC HEARING
PRELIMINARY BUDGET

NOTICE IS HEREBY GIVEN that the preliminary budget of the Town of Marcellus, including Fire Contract for the fiscal year starting January 1, 2014 has been completed and filed in the office of the Town Clerk, 24 East Main Street, Marcellus, New York, where it is available for inspection by any interested person during office hours.

FURTHER NOTICE IS HEREBY GIVEN that the Town Board of the Town of Marcellus will meet and review said preliminary budget and hold a public hearing thereon at the Marcellus Fire Station, 4242 Slate Hill Road, Marcellus, New York at 7:00 P.M. on the 7th day of November, 2013, and at such hearing any person may be heard in favor of or against the preliminary budget as compiled of, for or against any item or items therein contained.

FURTHER NOTICE is given that pursuant to Real Property Tax Law Section 495, the Exemption report that shows total assessed value on the final assessment roll that was used in the budgetary process that is exempt from taxation is on file with the Preliminary 2014 Budget.

PURSUANT TO to Section 108 of the Town Law, the proposed salaries of the following Town Officers are hereby specified as follows: Supervisor \$12,000., Town Justices (2) each \$15,154., Councilors (4) each \$6,120., Town Clerk \$37,800., Superintendent of Highways \$54,376., Tax Collector \$9,147.

By Order of the Town Board
Dated: October 24, 2014
Sandra H. Taylor, Town Clerk
Town of Marcellus

Supervisor Ross then asked if anyone had any opposition to the Preliminary Budget. Hearing no comments Supervisor Ross than asked if anyone had anything to say in favor of the Preliminary Budget. Hearing no comments from either the floor or The Board, Supervisor Ross closed the public hearing at 7:05 pm.

Copies of the minutes of the Budget Workshop Meeting held on October 16, 2013; The Town Board Meeting held on October 17, 2013; Budget Workshop Meeting held on October 23, 2013; Special Meeting held on October 24, 2013; Workshop Meeting held on October 24, 2013; and the Special Meeting held on October 28, 2013 were given to the Board Members. Councilor Scanlon made a motion to approve the minutes of the meetings. Councilor O'Hara seconded the motion.
 Aye – 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 #11 as of November 7, 2013, Claims # 130499, 130600, 130601, 130633-130635, 130642, 130647 -130701, 130703-130709.

	<u>Expenses</u>
General Fund	\$42,759.82
General Fund – Part Town	422.32
Highway – Town Wide	24,774.96
Highway – Part Town	10,342.17
Sewer District	205.96
Trust & Agency	<u>4,859.95</u>
	83,365.18

Also, there were two refunds from the Escrow Accounts: \$42.50 to Nan Stone Farrell Hutchins Trust and Kelly Green for \$236.82.

Board Members were given copies of the Activity Report as of November 7, 2013 and monthly statement of bank balances as of November 7, 2013.

	<u>Total Revenue</u>	<u>Total Expense</u>
General Fund	\$1,157,232.99	\$1,128,917.20
General Fund – Part Town	117,143.04	69,835.17
Highway – Town Wide	481,376.90	338,136.20
Highway – Part Town	299,387.01	323,217.88
Capital Projects		2,841.68
Fire District	590,329.33	643,574.26
Hydrant Fund	1,900.84	1,881.49
Ambulance Fund	275,274.24	274,532.00
Sewer District	127,955.33	156,526.51
Water District	202,238.40	101,534.72

Councilor Hakes asked if they could table the accounting information until later on in the meeting. They just received the packets and didn't have time to review them.

NEW BUSINESS:

- A. **Electronics Recycling Services:** A motion was made by Councilor O'Hara to sign on with a company called Tech Reworks. The company that was picking up the electronic items was Regional Computer Recycling & Recovery. RCR&R is not going to accept CRT devices including CRT TVs and CRT Monitors free of charge anymore. Councilor Hakes seconded the motion to have the Town go with the Tech Reworks company.
Ayes- Ross, Scanlon, Hakes, O'Hara and Lathrop. Carried
- B. **Sage Meadows Sidewalks:** Jim Gascon, Town Attorney, stated that a petition, signed by residents on Sage Meadows Drive who do not want a sidewalk, went before the Planning Board on Monday and there was a discussion between the Planning Board and the Developer. The Planning Board is adamant that the sidewalks go in. The Town Board can rescind the sidewalk district. Councilor Hakes made a motion to have a discussion on rescinding the sidewalk requirements. Supervisor Ross seconded the motion to discuss this issue. Councilor Hakes would like to invite the residents of Sage Meadows to go in front of the Planning Board and state their wishes. Jim Gascon, will do more research on dissolving a sidewalk district. Also, he will research if the Town Board has one decision and the Planning Board has another which Board overrides the other. This issue is tabled until January.
- C. **Liaison Positions:** Supervisor Ross has the authority to rescind all Liaison Positions. At this time, he has decided to rescind all the Liaison Positions. This way each Department Head can go to a Board Member/ Supervisor whomever he/she feels they are comfortable with and/or approach the Board as a whole. This is subject to change after January 1, 2014, when the new Supervisor takes over.
- D. **Scotch Hill Road Progress:** John Houser, Codes Officer, gave an update on the progress of the house on Scotch Hill Road. The contractor is ready to go, has the equipment in the driveway. It is taking longer than expected because there are some misunderstandings with NYSEG, on what needs to be turned off. Mr. Southern, a neighbor across the street said that he is very pleased with the progress that has been made. John Houser will give an update at the next meeting.
- E. **Passport Class for Deputy Town Clerk:** The Town Clerk is asking for the Deputy Town Clerk to attend a Passport Class in Lyons, NY on Wednesday, November 20, 2013. Councilor O'Hara asked if there was any cost involved. The only cost is mileage to and from the class. There is no cost for the class. Councilor O'Hara made a motion to approve the Deputy Town Clerk to attend the passport class in Lyons. Councilor Scanlon seconded this motion.
Ayes – Ross, Scanlon, Hakes, O'Hara and Lathrop. Carried
- F. **Adoption of the 2014 Budget:** Councilor O'Hara made a motion to accept the 2014 Budget. This was seconded by Councilor Scanlon.
Ayes-Ross, Scanlon, Hakes, O'Hara and Lathrop. Carried

G. **Southern Hills Preservation Corporation:** A request was made from the Southern Hills Preservation Corporation for a letter of support from the Town.

The SHPC is applying for a grant so that they can continue to renovate homes in southern Onondaga County for low-income homeowners. A motion was made by Councilor Hakes to send a letter of support for the SHPC. This motion was seconded by Councilor Scanlon.

Ayes – Ross, Scanlon, Hakes, O’Hara, and Lathrop. Carried

H. **Freshwater Future:** A letter was received from Cheryl Kallio, Associate Director of Freshwater Future, asking the Town of Marcellus to pass a Resolution to keep Asian Carp out of the Great Lakes. This will be of no cost to the Town. Councilor O’Hara made a motion to approve the Resolution and it was seconded by Councilor Hakes.

Ayes – Ross, Scanlon, Hakes, O’Hara and Lathrop. Carried

Keeping Asian Carp Out of the Great Lakes

WHEREAS, the Great Lakes and St. Lawrence represent the largest body of surface fresh water in the world and are a vibrant, diverse ecosystem that is critically important to the economic well-being and quality of life of the Canadian and U.S. populations in the region;

WHEREAS, over 180 invasive species have entered the Great Lakes and its connecting water ways over the years and caused widespread damage and disruption to the natural balance of the system, as well as significant economic damage;

WHEREAS, one of the most serious threats ever presented by invasive species currently comes from Asian carp, including silver, bighead, and black varieties;

WHEREAS, these varieties of carp were introduced to the southern United States for use in fish farms for algae control in the 1970's and escaped into the Mississippi River system.

WHEREAS, invasive species have already inflicted hundreds of millions in damage across the Great Lakes and St. Lawrence, and invasive carp pose a serious threat to the \$7 billion sport and commercial fishery that support the economy and help define the culture of the entire region;

WHEREAS, the invasive carp have migrated northward through the Mississippi River system as far north as Wisconsin, Minnesota, Illinois, Indiana, and Ohio, reducing significantly or eliminating populations of the more desirable species of fish because of their voracious food consumption and prolific reproduction;

WHEREAS, the invasive carp are threatening to enter the Great Lakes at a number of points across the region;

WHEREAS, many federal, state, provincial, and local government agencies in the United States and Canada have worked diligently and expended tens of millions of dollars over the past 10 years on a variety of projects to keep invasive carp out of the Great Lakes;

WHEREAS, including the invasive carp, there are 39 invasive species in the two basins that present a threat to cross over into the other basin in the near future;

WHEREAS, once an invasive species establishes itself in an ecosystem, it is exceedingly difficult, if not impossible, to eradicate it, and it often inflicts serious damage on the ecosystem and imposes major costs in efforts to control it;

WHEREAS, Asian carp pose a dangerous risk of injury to recreational users on waters infested with Asian carp;

WHEREAS, Canadian and U.S. citizens across the basin have expressed serious concern about the invasive carp and other invasive species, and are demanding prompt action;

WHEREAS, the U.S. Army Corps of Engineers is conducting a multiyear, comprehensive study across the U.S. side of the Great Lakes basin called the "Great Lakes and Mississippi River Interbasin Study" (GLMRIS) that examines 19 separate locations where invasive carp could cross from the Mississippi River Basin to the Great Lakes Basin, and considers a large number of potential ways to stop the further migration;

NOW, THEREFORE, BE IT RESOLVED, that the invasive carp in the Mississippi River system pose one of the greatest threats to the integrity and well-being of the Great Lakes and St. Lawrence ecosystem, including the 40 million Canadians and Americans who live there;

BE IT FURTHER RESOLVED, that preventing the invasive carp from entering the Great Lakes and St. Lawrence ecosystem needs to be approached with the greatest sense of urgency by all those responsible for dealing with this matter;

BE IT FURTHER RESOLVED, that physical separation is the most effective way to keep invasive carp from entering Lake Michigan through the Chicago Area Waterway System, and such barriers would also prevent the movement of many other invasive species from one basin to the other;

BE IT FURTHER RESOLVED, that physical separation is feasible and can be done in a way that maintains or enhances water quality, flood control, and transportation in the system;

BE IT FURTHER RESOLVED, that additional steps must be taken in the interim to keep invasive carp out while the long term solution is put in place;

NOW THEREFORE BE IT RESOLVED that the (municipality name here) strongly urges all parties involved to identify a preferred solution to the invasive carp issue and move forward to implement that solution with the greatest sense of urgency.

Adopted on Nov 7, 2013 by the Town of Marcellus.

Vote: 5 Yeas Nays Absent

Signed Daniel G. Ross
Town SUPERVISOR

11/13/13
Dated

- I. **Christmas Eve Hours:** Supervisor Ross suggested that we close at noon on Christmas Eve to give employees a chance to be with their families. Councilor O'Hara made a motion that the Town Hall close at 12:00 noon Tuesday, December 24, 2013. This motion was seconded by Councilor Hakes.
Ayes- Ross, Scanlon, Hakes, O'Hara and Lathrop. Carried

Discussion Agenda

Items from the Floor: There was a small discussion regarding the Sage Meadows sidewalk district and what the difference is from the Chilmark sidewalk district. The difference is that The Sage Meadows developer didn't charge the residents a sidewalk fee and the road was constructed narrower for a sidewalk.

Motion to go into Executive Session: The Town Attorney requested an Executive Session. Councilor O'Hara made a motion to go into Executive Session at 7:40 p.m. The purpose of the Executive Session is to discuss a Highway Personnel Issue. Councilor Scanlon seconded this motion.
Ayes – Ross, Scanlon, Hakes, O'Hara and Lathrop. Carried

Motion to go into Public Meeting: A motion was made by Councilor Hakes to end Executive Session and go back into the Open Meeting at 8:30 pm. This motion was seconded by Councilor Scanlon.
Ayes- Ross, Scanlon, Hakes, O'Hara and Lathrop. Carried

Motion from the Executive Session: The Town Board authorized the Town Attorney to inform Town Highway Employees Council that employee is welcome to return to work upon termination of medical leave and that no further pre-conditions are required for his return to employment.

The Board further resolved to authorize Town Attorney to instruct Forensic Accountants to complete their review of the 2011 Highway Time records.

The resolution passed by a vote of Hakes, O'Hara and Ross with Scanlon and Lathrop abstaining. Carried

Jim Gascon, Town Attorney, read a complaint from one of the employee's. He would like a copy of the complaint and will check with the employee and his attorney to determine if he would like to start an investigation.

Approve monthly activity, monthly statement of accounts and audit of bills

And budget adjustments: A motion was made by Councilor Scanlon to approve the monthly activity, monthly statement of accounts and audit of bills and budget adjustments. Councilor Lathrop asked why the Town Lighting Project is so expensive. Supervisor Ross explained that the Spec book is about 75 pages and also there is some grant money involved. Councilor Lathrop asked why the Abstracts are late every month. Supervisor Ross stated that Tracie has been busy with the auditor and budget, but will pass on the information to get the abstract to The Board members a little sooner. Councilor Hakes seconded the approval of the monthly Activity, monthly statement of account, audit of bills and the budget adjustments

Ayes- Ross, Scanlon, Hakes, O'Hara and Lathrop.

Carried

Motion to adjourn: Councilor Scanlon made a motion to adjourn the Town Board Meeting at 8:50. Councilor Hakes seconded the motion.

Ayes- Ross Scanlon, Hakes, O'Hara and Lathrop.

Carried

Respectfully submitted,

Sandy Taylor, Town Clerk