

MARCELLUS TOWN BOARD AGENDA

June 8, 2015

CALL TO ORDER

SALUTE TO FLAG

- I. Accept Town Clerk's minutes of previous meetings.
2. Approve monthly activity, audit of bills and budget adjustments:
3. Recreation Agreements: Joe Whiting, Marcellus Blue Grass, The Horn Dogs, Bus Agreements for Bakers Acres, Esperanza Mansion, "A Holly Jolly Christmas", Annapolis & Baltimore, Maryland
4. Resolution: Defense and indemnification of Town of Marcellus Officers and Employees
5. Letter from local resident – walk/ride-a-thon
6. Review Reserves, Bank Accounts and Ledger Accounts

Discussion Agenda

- A. Supervisor's Update
- B. Items from the Board
- C. Items from the Floor

Adjournment

NOTE: This is a tentative agenda and is subject to change.

Future Meeting Dates:

Town Board/Workshop Meeting – Thursday, June 25, 2015 – 5:00 pm at the Welcome Center

Planning/Zoning Meeting – Monday, July 6, 2015 – 7:00 pm at the Town Hall

Town Board Meeting – Monday July 13, 2015 – 7:00 pm at the Town Hall

Office will be closed on Friday, July 3, 2015 for the Holiday**

TOWN OF MARCELLUS
TOWN BOARD MEETING MINUTES

May 11, 2015

A Meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on Monday, May 11, 2015 in the Town Hall, 24 East Main Street, Marcellus, New York. Those present were:

Mary Jo Paul, Supervisor
Kevin F. O'Hara, Councilor
John Scanlon, Councilor
Karen Pollard, Councilor
Chris Hunt, Councilor

Also present: Jim Gascon, Town Attorney; Susan Dennis, Deputy Town Clerk; Don MacLachlan, Highway Superintendent; Phil Coccia, Recreation Director; Christopher Mallone, Skaneateles Journal; Tom Lathriop, Mike Ossit, Josh Kimber, Brian Stanski, Bill Southern, Adam Molinari, Chris Brizzi, Victor Stashuy, Matt Odell, Collen Conden, Mike Ossit, Adella Robert, Ryan McVey, Bernard Montgomery, Mike Siddall and Sandy Taylor, Town Clerk.

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

Public Hearing – Local Law A-2015 – A Local law Amending the Town of Marcellus Zoning Law of 2009 to Amend Requirements of Permitted Accessory Buildings in Residential and Agricultural Zones within the Town of Marcellus.

Supervisor Paul asked if anyone had anything to say in favor or against Local Law A-2015. No one had any comments. The Public Hearing for Local Law A-2015 was closed at 7:05

Public Hearing – Local Law B -2015 – A Local Law Amending the Town of Marcellus Zoning Law of 2009 to Amend the Minimum Size of Dwelling Areas in R-1 and R-2 Residential Zones Within the Town of Marcellus.

Supervisor Paul asked if anyone had anything to say in favor or against Local Law B-2015. No one had any comments. The Public Hearing for Local Law B-2015 was closed at 7:10.

A motion was made by Councilor O'Hara and seconded by Councilor Scanlon to amend the agenda to add a number 13 that will be General Update. Carried
Ayes – Scanlon, Hunt, Paul, O'Hara and Pollard

MINUTES: A motion was made by Councilor Pollard and seconded by Councilor O'Hara to accept the Town Clerk's minutes from April 13 and April 23, 2015. Carried
Ayes – Scanlon, Hunt, Paul, O'Hara and Pollard

The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk, Abstract #5 as of May 6, 2015. Claims #142095- 142116 and 142118 – 142156.

	<u>Expenses</u>
General Fund	\$21,603.54
General Fund – Part Town	37.27
Highway – Town Wide	6,522.01
Highway – Part Town	11,739.02
Fire District	170,661.00
Sewer District	160,954.94
Trust and Agency	<u>304.00</u>
 Total	 \$371,821.78

Bills paid between meetings: The following bills were paid on May 7, 2015. NYSEG bills totaling \$383.26 and ProShred for \$360.00. Voucher Numbers 142087 – 142094.

Board Members were given copies of the Activity Report as of May 5, 2015.

	<u>Total Revenue</u>	<u>Total Expense</u>
General Fund	\$225,641.95	\$866,113.67
General Fund – Part Town	8,728.08	135,499.87
Highway – Town Wide	54,032.10	296,001.90
Highway – Part Town	61,912.85	337,952.82
Fire District	77.25	193,723.50
Hydrant Fund	15.28	10,716.35
Ambulance Fund	88.55	128,713.50
Sewer District	39.79	8,938.44
Water District	21,125.90	99,152.18

Councilor Scanlon made a motion seconded by Councilor Hunt to approve and pay the bills and approve the monthly activity report as of May 6, 2015.
Ayes – Scanlon, Hunt, Paul, O’Hara and Pollard. Carried.

The Public Hearing was reopened at 7:25 for the adoption of Local Law A - 2015 and Local Law B-2015.

Adoption of Local Law A – 2015: Supervisor Paul read the Onondaga Planning Board Resolution regarding Local Law A – 2015 and Jim Gascon, Town Attorney, went through the SEQR for Local Law A – 2015.

**TOWN OF MARCELLUS
TOWN BOARD RESOLUTION**

May 11, 2015

The following resolution was offered by Councilor Pollard, who moved its adoption, seconded by Supervisor Paul, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. A-2015, “A Local Law Amending the Town of Marcellus Zoning Law of 2009 to Amend Requirements of Permitted Accessory Buildings in Residential and Agricultural Zones Within the Town of Marcellus,” was presented and introduced at a regular meeting of the Town Board of the Town of Marcellus held on April 13, 2015; and

WHEREAS, a public hearing was held on such proposed local law on this 11th day of May, 2015, 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 of the State of New York; and

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law of New York (SEQRA), requires that as early as possible in the consideration of a proposed action, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, the Town Board declared itself lead agency and determined that the enactment of proposed Local Law No. A-2015 is Type I Action for purposes of environmental review under SEQRA; and

WHEREAS, on April 13, 2015 the Town Board further declared the Village of Marcellus; Town of Onondaga; Town of Camillus; Town of Skaneateles; Town of Elbridge; Town of Otisco; Town of Spafford; Onondaga County Planning Board; Syracuse-Onondaga County Planning Agency; New York State Department of Environmental Conservation, Region 7; and New York State Department of Agriculture and Markets as interested agencies for purposes of environmental review under SEQRA; and

WHEREAS, the Board determined that a full environmental assessment form (EAF) would be required in connection with this matter; and

WHEREAS, the aforementioned EAF has been prepared and has been reviewed by the Board; and

WHEREAS, the Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria; and

WHEREAS, it is in the public interest to enact said proposed Local Law No. A-2015.

NOW, THEREFORE, it is

RESOLVED, that proposed Local Law No. A-2015 will not have a significant adverse effect on the environment and this resolution hereby adopts a Negative Declaration (attached hereto and incorporated by reference) for purposes of SEQRA; and it is further

RESOLVED, that the Town Board of the Town of Marcellus, Onondaga County, New York, does hereby enact proposed Local Law No. A-2015 as Local Law No. 1-2015 as follows:

**TOWN OF MARCELLUS
LOCAL LAW NO. 1 of 2015**

**A LOCAL LAW AMENDING THE TOWN OF MARCELLUS ZONING LAW OF 2009 TO AMEND
REQUIREMENTS OF PERMITTED ACCESSORY BUILDINGS
IN RESIDENTIAL AND AGRICULTURAL ZONES
WITHIN THE TOWN OF MARCELLUS**

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

SECTION 1. **AUTHORITY**

This local law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

SECTION 2. **AMENDMENTS TO SECTION 7 ("R-1 RESIDENTIAL ZONE"),**
SUBPARAGRAPH (A) ("PERMITTED PRINCIPAL USES").

SUBSECTION (J).

The Town of Marcellus Zoning Law is hereby amended by deleting Section 7, Subparagraph (A), Subsection (j) in its entirety.

SECTION 3. **AMENDMENTS TO SECTION 7 ("R-1 RESIDENTIAL ZONE"),**
SUBPARAGRAPH (B) ("PERMITTED ACCESSORY USES"), OF THE
TOWN OF MARCELLUS ZONING LAW.

The Town of Marcellus Zoning Law is hereby amended by adding a new Subsection 9 to Section 7, Subparagraph (B) as follows:

- "9. Permitted accessory buildings not exceeding 160 square feet in area.
 - a. The use shall be consistent with and subordinate to the principal use and may not be carried on independently of the principal use.
 - b. Accessory buildings over 160 sq.ft. in area are allowed upon the issuance of a special use permit pursuant to Section 25.
 - c. The use must conform to applicable lot and building limitations. (See Section 6a, Note 4)."

SECTION 4. **AMENDMENTS TO SECTION 8 ("R-2 RESIDENTIAL ZONE LAKE**
SHORE"), SUBPARAGRAPH (B) ("PERMITTED ACCESSORY USES").
SUBSECTION (1) OF THE TOWN OF MARCELLUS ZONING LAW.

The Town of Marcellus Zoning Law is hereby amended by deleting Section 8, Subparagraph (B), Subsection (1) in its entirety and replacing it with a new Subsection (1) as follows:

"1. All accessory uses permitted in R-1 zone, except that permitted accessory buildings may not contain more than 120 square feet in area, must be limited to one story and must be at least 3 feet from the side and rear lot lines and meet front setback requirements. (See Section 6a, Note 3)."

SECTION 5. **AMENDMENTS TO SECTION 10 ("R-4 RESIDENTIAL ZONE"),**
SUBPARAGRAPH (B) ("PERMITTED ACCESSORY USES").
SUBSECTION (1) OF THE TOWN OF MARCELLUS ZONING LAW.

The Town of Marcellus Zoning Law is hereby amended by deleting Section 10, Subparagraph (B), Subsection (1) in its entirety and replacing it with a new Subsection (1) as follows:

"1. All accessory uses permitted in R-1 zone, except for Bed and Breakfast, subject to the same requirements as specified, except that permitted accessory buildings may not contain more than 120 square feet in area, must be limited to one story and must be at least 3 feet from the side and rear lot lines and meet front setback requirements. (See Section 6a, Note 3)."

SECTION 6.

**AMENDMENTS TO SECTION 11 ("A-1 AGRICULTURAL ZONE"),
SUBPARAGRAPH (A) ("PERMITTED PRINCIPAL USES"), SUBSECTION
(1) OF THE TOWN OF MARCELLUS ZONING LAW.**

The Town of Marcellus Zoning Law is hereby amended by deleting Section 11, Subparagraph (A), Subsection (1) in its entirety and replacing it with a new Subsection (1) as follows:

"1. All principal uses permitted in R-1 zone, subject to the same requirements as specified."

SECTION 7.

**AMENDMENTS TO SECTION 11 ("A-1 AGRICULTURAL ZONE"),
SUBPARAGRAPH (B) ("PERMITTED ACCESSORY USES"),
SUBSECTION (1) OF THE TOWN OF MARCELLUS ZONING LAW.**

The Town of Marcellus Zoning Law is hereby amended by deleting Section 11, Subparagraph (B), Subsection (1) in its entirety and replacing it with a new Subsection (1) as follows:

"1. All accessory uses permitted in R-1 zone, subject to the same requirements as specified. However, a special use permit need not be obtained for such accessory buildings used in connection with an operating agricultural farm."

SECTION 8.

SEVERABILITY.

If any clause, sentence, paragraph, subdivision or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 9.

EFFECTIVE DATE.

This Local Law shall be effective upon filing with the office of the Secretary of State.

The question of the adoption of the foregoing resolution was duly put to a vote, the vote was as follows:

John Scanlon	Councilor	Voted	Yes
Chris Hunt	Councilor	Voted	Yes
Kevin O'Hara	Councilor	Voted	Yes
Karen Pollard	Councilor	Voted	Yes
Mary Jo Paul	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: May 11, 2015

Adoption of Local Law B – 2015: Supervisor Paul read the Onondaga Planning Board Resolution

regarding Local Law B – 2015.

The Public Hearing on Local Law A and Local Law B closed at 7:45.

**TOWN OF MARCELLUS
TOWN BOARD RESOLUTION**

May 11, 2015

The following resolution was offered by Councilor Scanlon, who moved its adoption, seconded by Councilor O'Hara, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. B-2015, "A Local Law Amending the Town of Marcellus Zoning Law of 2009 to Amend the Minimum Size of Dwelling Areas in R-1 and R-2 Residential Zones Within the Town of Marcellus," which local amends the minimum size of dwelling areas in R-1 and R-2 Residential Zones within the Town of Marcellus was presented and introduced at a regular meeting of the Town Board of the Town of Marcellus held on April 13, 2015; and

WHEREAS, a public hearing was held on such proposed local law on this 11th day of May, 2015, 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 of the State of New York; and

WHEREAS, the enactment of Proposed Local Law No. B-2015 has previously been determined to be an unlisted action and will have no significant effect on the environment thus concluding the SEQR review process; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. B-2015.

NOW, THEREFORE, it is

RESOLVED, that the Town Board of the Town of Marcellus, Onondaga County, New York, does hereby enact proposed Local Law No. B-2015 as Local Law No. 2-2015 as follows:

**TOWN OF MARCELLUS
LOCAL LAW NO. 2 of 2015**

**A LOCAL LAW AMENDING THE TOWN OF MARCELLUS ZONING LAW OF 2009 TO AMEND THE
MINIMUM SIZE OF DWELLING AREAS IN R-1 and R-2 RESIDENTIAL ZONES WITHIN THE TOWN OF
MARCELLUS**

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

SECTION 1. AUTHORITY

This local law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

SECTION 2. AMENDMENTS TO SECTION 6a ("LOT AND BUILDING LIMITATIONS"), OF THE TOWN OF MARCELLUS ZONING LAW.

Section 6a "Lot and Building Limitations" of the Town of Marcellus Zoning Law is hereby amended to modify the minimum size of dwelling areas in R-1 Residential Zones from 600 sq.ft. in area to 900 sq.ft. in area.

SECTION 3. AMENDMENTS TO SECTION 6a ("LOT AND BUILDING LIMITATIONS"), OF THE TOWN OF MARCELLUS ZONING LAW.

Section 6a "Lot and Building Limitations" of the Town of Marcellus Zoning Law is hereby amended to modify the minimum size of dwelling areas in R-2 Residential Zones from 900 sq.ft. in area to 600 sq.ft. in area.

SECTION 4. SEVERABILITY.

If any clause, sentence, paragraph, subdivision or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5. EFFECTIVE DATE.

This Local Law shall be effective upon filing with the office of the Secretary of State.

The question of the adoption of the foregoing resolution was duly put to a vote, the vote was as follows:

John Scanlon	Councilor	Voted	Yes
Chris Hunt	Councilor	Voted	Yes
Kevin O'Hara	Councilor	Voted	Yes
Karen Pollard	Councilor	Voted	Yes
Mary Jo Paul	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: May 11, 2015

Recreation Agreement: A motion was made by Councilor O'Hara and seconded by Councilor Pollard to approve the following recreation agreement.

Concert:

Rhythm'n'Shoes Thursday, July 9, 2015 \$350.00

Ayes - Scanlon, Hunt, Paul, O'Hara and Pollard Carried

Highway Department Vehicle Plug-In Policy: Councilor Scanlon made a motion seconded by Supervisor Paul to add the following policy to the employee handbook.

Highway and Park Department Employees may plug in engine warmers for their personal vehicles, during work hours, at the respective garages during cold weather (November 1st through April 15th) with a yearly

fee to be established by the Marcellus Town Board. The Bookkeeper will bill each employee in September with a deadline for payment (either cash or check) by October 1st.

It is understood that any damage to personal vehicles will be the sole responsibility of the employee and the Town will be held harmless of any damage.

EMPLOYEE HANDBOOK, page 500 – 7

509 SUPPLIES, TOOLS EQUIPMENT & FUEL

Ayes – Scanlon, Hunt, Paul, O’Hara and Pollard Carried

Supervisor Paul made a motion seconded by Councilor Scanlon to approve charging \$10.00 per employee for the 2015 – 2016 year to plug in their vehicles.

Ayes – Scanlon & Paul Nays – Hunt, O’Hara and Pollard Denied

Councilor Pollard made a motion seconded by Councilor Hunt that there be no charge per employee for the 2015-2016 year to plug in their vehicles.

Ayes – Hunt, O’Hara and Pollard Nays – Scanlon and Paul Carried.

One Load Trash Permits: Supervisor Paul made a motion seconded by Councilor O’Hara to have a one-load trash permit starting in the Spring of 2016 for \$10 a car load.

Ayes – Scanlon, Paul and O’Hara Nays – Hunt and Pollard Carried.

Storm Water Update: John Houser, Codes Officer, gave a brief update on the Storm Water Project. He will be on the May 28, 2015 Workshop meeting to go into more detail .

Codes Officer to attend Workshop: Councilor O’Hara made a motion seconded by Councilor Hunt for John Houser, Codes Officer, to attend a Safety and Fire Considerations for Solar PV workshop. The workshop is May 28, 2015 from 9:00 am – 12:00 noon in Syracuse. This is a free workshop so the cost to the Town would be mileage only.

Ayes – Scanlon, Hunt, Paul, O’Hara and Pollard Carried.

County Purchasing: Supervisor Paul stated that once we sign an IMA (Intermunicipal Agreement) with the county, the Town will be able to obtain a 1% saving when purchasing items. Don MacLachlan, Highway Superintendent, purchases sand, salt, gas and other items right now at a savings. Councilor Hunt made a motion seconded by Councilor Pollard to have Supervisor Paul sign the three certifications (with the Attorneys added wording “Subject to review and acceptance of the written plan”).

Ayes - Scanlon, Hunt, Paul, O’Hara and Pollard Carried

Waiver of Liquor License:

**TOWN OF MARCELLUS
TOWN BOARD RESOLUTION
AUTHORIZING WAIVER OF 30 DAY NOTIFICATION REQUIRED
BY THE NEW YORK STATE LIQUOR AUTHORITY**

Motion made by: Councilor O’Hara
Seconded by: Councilor Scanlon

WHEREAS, Peppino's Bristo 72, Inc. (hereinafter "Peppino's") has notified the Town of Marcellus that it intends to apply for a liquor, wine and beer license for premises located at 2814 West Seneca Turnpike, Marcellus, New York 13108; and

WHEREAS, pursuant to Alcohol Beverage Control Law § 110-b, an applicant must give the municipality thirty (30) days notice of the pending liquor license application unless the municipality consents to waive this thirty (30) day requirement; and

WHEREAS, Peppino's has requested that the Town waive the thirty (30) day notification required by the New York State Liquor Authority in an effort to expedite the application for the liquor license to Peppino's from the New York State Liquor Authority; now therefore be it

RESOLVED, that the Town Board of the Town of Marcellus, be and hereby offers no objection to and waives the thirty (30) day notice period in regard to the application by Peppino's for a liquor, wine and beer license from the New York State Liquor Authority, allowing to expedite submission of the license application; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Michael S. Banks as Agent for the Applicant and to Peppino's at 2814 West Seneca Turnpike, Marcellus, New York 13108.

The question of the adoption of the foregoing resolution was duly put to a vote and the vote was as follows:

John Scanlon	Councilor	Voted	Yes
Christopher Hunt	Councilor	Voted	Yes
Kevin O'Hara	Councilor	Voted	Yes
Karen Pollard	Councilor	Voted	Yes
Mary Jo Paul	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: May 11, 2015

Liaisons Official Report:

Councilor Hunt reported that they had the first safety meeting and the second one is coming up in July.

Councilor Scanlon stated that there is nothing new with the Fire Department and MAVES.

Councilor O'Hara stated that the Pickle Ball discussion is still continuing.

Councilor Pollard stated that she had no report regarding the Planning/Zoning Department.

General Update: Ed Hinchey, the Forensic Hydrogeologist, sent through a proposal. Not all of the Councilor's received. They will discuss this proposal at the Workshop Meeting.

Supervisors Updates: Supervisor Paul stated that she has contacted the DEC regarding the acetone in soil. They replied that it is still an ongoing investigation and it will be finished soon. The Town will be notified when the investigation is finished.

Items from the Board: Councilor Pollard asked what is going on with the Time Warner Contract. Jim Gascon, Town Attorney, stated that he has not yet heard back from Time Warner.

Items from the Floor: Phil Coccia, Recreation Director, gives a big thank you to the Highway Department, Tom Murphy for all the flowers and Sandy Elsey for all the work she did on the brochure for summer.

Don MacLachlan, Highway Superintendent, stated that some of the "Welcome to Marcellus" signs are getting worn down. They keep patching them up, but at some point the Board might want to consider purchasing new signs.

Councilor O'Hara stated that Shred Day was slow this year. Next year we will have to advertise it Better.

Councilor Pollard made a motion seconded by Councilor Hunt to adjourn the Town Board Meeting at 9:00 pm.

Ayes – Scanlon, Hunt, Paul, O'Hara and Pollard

Carried

Respectfully submitted,

Sandy Taylor, Town Clerk

TOWN OF MARCELLUS
TOWN BOARD WORKSHOP MEETING MINUTES

May 28, 2015

A Workshop Meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on Thursday, May 28, 2015 in the Town Hall, 24 East Main Street, Marcellus, New York. Those present were:

Mary Jo Paul, Supervisor
 Kevin F. O'Hara, Councilor
 John Scanlon, Councilor
 Karen Pollard, Councilor
 Chris Hunt, Councilor

Also present: Ron Schneider, Mike Ossit, Bill Southern, Christopher Mallon, Skaneateles Journal; Bernie Montgomery, Don MacLachlan, Highway Superintendent; Phil Coccia, Recreation Director; John Houser, Codes Officer; Jim Gascon, Town Attorney; Chuck Paul and Sandy Taylor; Town Clerk.

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

A motion was made by Supervisor Paul and seconded by Councilor Scanlon to add the following to the agenda, EFC Project Closing and the contract with Onondaga County Soil and Water Department for the Ash Bore Treatments.

Ayes - Pollard, O'Hara, Scanlon, Hunt and Paul

Carried

The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk, Abstract 5 as of May 20, 2015 Claims #142157, 142160-142170, 142189-14221.

	<u>Expenses</u>
General Fund	\$19,874.56
General Fund – Part Town	3,036.28
Highway – Town Wide	1,985.00
Highway – Part Town	10,314.82
Trust & Agency	4,983.73
 Total	 \$40,194.39

Bills paid between meetings: The following bills were paid on May 13, 2015. Two NYSEG bills totaling \$1,272.45 and a Constellation Energy Bill for \$332.28. Voucher Numbers 142158, 142159 and 142180.

Board Members were given copies of the Activity Report as of May 20, 2015.

	<u>Total Revenue</u>	<u>Total Expense</u>
General Fund	210,096.22	815,572.54
General Fund – Part Town	7,270.83	132,426.32
Highway – Town Wide	54,032.10	285,400.17
Highway – Part Town	61,912.85	296,347.94

Fire District	77.25	23,062.50
Hydrant Fund	15.28	10,716.35
Ambulance Fund	88.55	128,713.50
Sewer District	39.79	152,016.50
Water District	21,125.90	99,152.18

Councilor Scanlon made a motion seconded by Councilor Pollard to approve and pay the bills and approve the monthly activity statement.
 Ayes – Pollard, O’Hara, Scanlon, Hunt and Paul Carried.

Time Warner Contract: Councilor O’Hara made a motion seconded by Councilor Hunt To have Supervisor Paul sign the Time Warner Contract. The Town Attorney has reviewed this contract and given his consent to approve it.
 Ayes – Pollard, O’Hara, Scanlon, Hunt and Paul Carried

Security Alarms: Supervisor Paul made a motion seconded by Councilor Scanlon that The contract with Eastern Security Services be signed. The agreement is a down payment of \$199.00 with monitoring fees of \$29.00 quarterly.
 Ayes – Pollard, O’Hara, Scanlon, Hunt and Paul Carried.

Environmental Facilities Corporation: Councilor Pollard made a motion seconded by Councilor Hunt for the Supervisor to sign the Environmental Facilities Corporation Close-Out Certification. This has to do with the BAN to Bond from Limeledge Water District.
 Ayes – Pollard, O’Hara, Scanlon, Hunt and Paul Carried

IMA County Soil and Water: Councilor O’Hara made a motion seconded by Councilor Hunt for the Supervisor to sign the Intermunicipal Agreement with the County for the Emerald Ash Borer treatment of specified ash trees.
 Ayes – Pollard, O’Hara, Scanlon, Hunt and Paul Carried.

Well-Testing Proposals: Councilor Pollard made a motion seconded by Supervisor Paul to hire Pace Analytical to test the water from the wells on Pleasant Valley Road at a cost of \$3,960.00. This is in addition to TDK’s cost of \$2,000 - \$3,000 to analyse the report with possible additional consulting by Ed Hinchey at a cost of \$6,760.00
 Ayes – Pollard, O’Hara, Scanlon, Hunt and Paul Carried

Storm – Water Educational Review: John Houser, Codes Officer, spoke about the Storm Water Educational Review Plan. The next step is public involvement and participation. This summer a local boy scout troop is going to be stenciling a symbol by storm drains so that people will know that the water from washing cars and draining pools all end up in the storm drain and eventually Nine Mile Creek and Onondaga Lake.

A discussion then ensued regarding the Paper Mill on Route 174. Jim Gascon, Town Attorney, will meet with Joe Durand from TDK and John Houser, Codes Officer, to Come up with a time line regarding demolishing the Paper Mill.

Trash Day Curb Pick-Up: After some discussion, it was decided not to have curb-side pickup in the Town of Marcellus. It would be very expensive and labor intensive.

Intrastate Municipal Aid Program: This is a program that if a municipality declares an Emergency, other local governments will share resources to aid them. The Board feels that the Fire Department, MAVES, the Superintendent of Highways and the Town should all have a copy of the procedures as detailed in the March 6, 2015 notice.

Attorney Fees: This Local Law will be introduced at the June 8, 2015 meeting. It is a Local Law providing for the defense and indemnification of Town of Marcellus Officers and Employees.

Multi-Year Capital Plan: Supervisor Paul stated that the Board should develop long-term financial and capital plans that project operating and capital needs and financing sources for a three – to five-year period. These plans should be monitored and updated on an ongoing basis.

Reserves, Bank Accounts & Ledgers: This will be tabled until the June 8, 2015 meeting.

Discussion Agenda

Supervisor Paul stated that the carpets here in the Town Hall were cleaned by Stanley Steemer.

There will be a Public Hearing for the Chocolate Pizza Company here at the Town Hall On Tuesday, June 9, 2015 at 10:00 am. This is from the grant company. Supervisor Paul invited everyone. She will be making a statement in favor of them on behalf of the Town Board.

Items from the Floor: Bill Southern, Sheehan Road, mentioned that he saw some children on the bridge over at the park and maybe the Town should consider putting up something between the railings so that they can't fall through. Phil Coccia, Recreation Director, will take a look at this.

Councilor Pollard made a motion seconded by Councilor O'Hara to adjourn the Marcellus Town Board meeting at 9:30 P.M.
Ayes – Pollard, O'Hara, Scanlon, Hunt and Paul

Carried

Respectfully submitted,

Sandy Taylor, Town Clerk

June 8, 2015

Recreation Agreements:

Concerts:

The Horn Dogs	June 25, 2015	\$400.00
Joe Whiting	July 30, 2015	\$750.00
Marcellus Bluegrass Artists	June 18, 2015	\$400.00

Day Trips:

Bakers Acres	May 20, 2015		
Cost per person: \$53.00	Motor Coach Cost: \$800.00	Gratuities: \$75.00	

Esperanza Mansion	September 2, 2015		
Cost per person: \$53.00	Motor Coach Cost: \$800.00	Gratuities: \$75.00	

"A Holly Jolly Christmas":	November 18, 2015		
Cost per person: \$51.00	Motor Coach Cost: \$950.00	Gratuities: \$75.00	

Annapolis & Baltimore, Maryland	September 28 – October 1, 2015			
Cost per person 35 paid:	Double: \$583	Triple: \$520	Quad: \$489	Single: \$770
Cost per person 42 paid:	Double: \$552	Triple: \$489	Quad: \$458	Single: \$739
Driver: \$325	Tour Guide \$200.00			

**TOWN OF MARCELLUS
TOWN BOARD RESOLUTION**

June 8, 2015

TOWN OF MARCELLUS LOCAL LAW C OF 2015
("A Local Law Providing for the Defense and Indemnification
of Town of Marcellus Officers and Employees")

Councilor _____ introduced proposed Local Law No. C-2015, "A Local Law Providing for the Defense and Indemnification of Town of Marcellus Officers and Employees," which local law sets forth that the Town will provide legal defense and indemnification for Town officers and employees in certain enumerated civil and criminal matters which arise out of the officers' and employees' performance of their public employment and/or duties, which was seconded by Councilor _____:

WHEREAS, 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 the New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the adoption to said Local Law is an unlisted action for purposes of environmental review under SEQR; and

WHEREAS, the Town Board has determined that a short environmental assessment form (EAF) shall be required in connection with this matter; and

WHEREAS, the said EAF has been prepared and has been reviewed by the Town Board;
and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria;

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, that the enactment of proposed Local Law No. C-2015 is an unlisted action, there are no other involved agencies and this Board shall act as lead agency in this matter for purposes of SEQR review; and it is further

RESOLVED AND DETERMINED, the Town Board has determined this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQR; and it is further

RESOLVED, that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. C-2015 at the Town Hall located at 24 East Main Street, Marcellus, New York on July 13, 2015 at 7:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

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

John Scanlon	Councilor	Voted	Yes
Chris Hunt	Councilor	Voted	Yes
Kevin O'Hara	Councilor	Voted	Yes
Karen Pollard	Councilor	Voted	Yes
Mary Jo Paul	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

TOWN OF MARCELLUS

PROPOSED LOCAL LAW NO. C of 2015

**A LOCAL LAW PROVIDING FOR THE DEFENSE AND INDEMNIFICATION
OF TOWN OF MARCELLUS OFFICERS AND EMPLOYEES**

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

SECTION 1. AUTHORITY

This local law is enacted pursuant to the New York State Constitution, New York Municipal Home Rule Law § 10 and Public Officers Law §17.

SECTION 2. DEFINITIONS

EMPLOYEE – Any person holding a position by election, appointment or employment in the service of the Town of Marcellus whether or not compensated, but shall not include an independent contractor. The term “employee” shall include a former employee, his estate or judicially appointed personal representative.

SUPERVISOR – The Supervisor of the Town of Marcellus.

TOWN – The Town of Marcellus, New York.

TOWN ATTORNEY – The duly appointed attorney of the Town of Marcellus.

TOWN BOARD – The Town Board of the Town of Marcellus.

SECTION 3. PROVISION OF DEFENSE OF EMPLOYEE

A. Upon compliance by the Employee with the provisions of Section 5 of this Local Law, the Town shall provide for the defense of the Employee:

1. in any civil action or proceedings in any state or federal court arising out of any alleged act or omission which occurred or is alleged in the complaint to have occurred while the Employee was acting or in good faith purporting to act within the scope of his public employment or duties. Such defense shall not be provided where such civil action or proceeding is brought by or on behalf of the Town; or
2. in any criminal proceeding in a state or federal court arising out of any act which occurred while the Employee was acting within the scope of his or her public employment or duties, provided the Employee is acquitted or the criminal charges against the Employee are dismissed.

- B. Subject to the conditions set forth in this Local Law, the Employee shall be represented by the Town Attorney or an attorney employed or retained by the Town for the defense of the Employee. The Town Board shall employ or retain an attorney for the defense of the Employee whenever: the Town does not have a Town Attorney; the Town Board determines based upon its investigation and review of the facts and circumstances of the case that representation by the Town Attorney would be inappropriate; or a court of competent jurisdiction determines that a conflict of interest exists and that the Employee cannot be represented by the Town Attorney. Reasonable attorney's fees and litigation expenses shall be paid by the Town to such attorney employed or retained, from time to time, during the pendency of the civil action or proceeding subject to certification by the Town Supervisor that the Employee is entitled to representation under the terms and conditions of this Local Law. Payment of such fees and expenses shall be made in the same manner as payment of other claims and expenses of the Town. Any dispute with respect to representation of multiple Employees by the Town Attorney or by an attorney employed or retained for such purposes or with respect to the amount of the fees or expenses shall be resolved by the court.
- C. Where the Employee delivers process and a request for a defense to the Town Attorney or the Supervisor as required by Section 5 of this Local Law, the Town Attorney or the Town Board, as the case may be, shall take the necessary steps including the retention of an attorney under the terms and conditions provide in Subsection B of this Section on behalf of the Employee to avoid entry of a default judgment, pending resolution of any question relating to the obligation of the Town to provide a defense.

SECTION 4. INDEMNIFICATION OF EMPLOYEE

- A. Subject to the conditions set forth in this Local Law, the Town shall indemnify and hold harmless its Employee in the amount of any judgment obtained against such Employee in a state or federal court or in the amount of any settlement of a claim, provided that the act or omission from which such judgment or claim arose occurred while the Employee was acting within the scope of his public employment or duties, provided, further that in the case of a settlement, the duty to indemnify and save harmless shall be conditioned upon the approval of the amount of settlement by the Town Board.
- B. The duty to indemnify and save harmless prescribed by this Section shall not arise where the injury or damages result from intentional wrongdoing or recklessness on the part of the Employee.
- C. Nothing in this Section shall authorize the Town to indemnify or save harmless an Employee with respect to punitive or exemplary damages, fines or penalties or money recovered from an Employee pursuant to § 51 of the General Municipal Law; provided, however, that the Town shall indemnify and save harmless its Employees in the amount of any costs, attorneys' fees, damages, fines or penalties which may be imposed by reasons of an adjudication that an Employee acting within the scope of his public employment or duties, has, without willfulness or intent on his part, violated a prior

order, judgment, consent decree or stipulation of settlement entered in any court of New York State or of the United States.

- D. The limit of indemnification under this Local Law shall be the limit of liability in the pertinent and applicable public officials' and/or employees' liability insurance policy maintained by the Town, and all Employees shall fully cooperate with said insurer, and failure to so cooperate shall be a waiver of any rights of the Employee under this Local Law.

SECTION 5. **CONDITIONS OF DEFENSE AND INDEMNIFICATION**

A. The duty to defend provided in this Local Law shall be contingent upon:

1. delivery to the Town Attorney or, if none, to the Supervisor of the original or a copy of any summons, complaint, process, notice, demand or pleading within five days after he/she is served with such document; and
2. the full cooperation of the Employee in the defense of such action or proceeding and defense of any action or proceeding against the Town based upon the same act or omission, and in the prosecution of any appeal. Such delivery shall be deemed a request that the Town provide for the Employee's defense pursuant to this Local Law unless the Employee shall state in writing that a defense is not requested.

B. The duty to indemnify and save harmless prescribed by this Local Law shall be conditioned upon the full cooperation of the Employee in the defense of such action or proceeding and in defense of any action or proceeding against the Town based upon the same act or omission of the Employee, and in the prosecution of any appeal.

C. Upon entry of a final judgment against the Employee, or upon the settlement of the claim, the Employee shall serve a copy of such judgment or settlement, personally or by certified or registered mail, within thirty (30) days of the date of entry or settlement, upon the Supervisor; and if not inconsistent with the provisions of this Local Law, the amount of such judgment or settlement shall be paid by the Town.

SECTION 6. **BENEFITS TO EMPLOYEES**

The benefits of this Local Law will inure only to Employees as defined herein and shall not enlarge or diminish the rights of any other party nor shall any provisions of this Local Law be construed to affect, alter or repeal any provisions of the Workers' Compensation Law.

SECTION 7. **CONSTRUAL OF PROVISIONS**

A. The provisions of this Local Law shall not be construed to alter, limit or modify the rights and obligations of any insurer under any policy of insurance.

B. Except as otherwise specifically provided in this Local Law, the provisions of this Local Law shall not be construed in any way to impair, limit, modify, abrogate or restrict any immunity to liability available to or conferred upon any unit, entity, officer or employee of any public entity by, in accordance with or by reason of any other provision of state or federal statutory or common law.

SECTION 8. NOTICE BY CLAIMANT

This article shall not in any way affect the obligation of any claimant to give notice to the Town under § 50-e of the General Municipal Law or any other provision of law.

SECTION 9. SEVERABILITY

If any clause, sentence, paragraph, subdivision or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 10. EFFECTIVE DATE

This Local Law shall be effective upon filing with the office of the Secretary of State.

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: TOWN OF MARCELLUS			
Project Location (describe, and attach a location map): LOCAL LAW C-2015			
Brief Description of Proposed Action: Local Law No. C-2015, "A Local Law Providing for the Defense and Indemnification of Town of Marcellus Officers and Employees." Said Local Law, if enacted, would set forth that the Town will provide legal defense and indemnification for Town officers and employees in certain enumerated civil and criminal matters which arise out of the officers' and employees' performance of their official Town duties.			
Name of Applicant or Sponsor: TOWN OF MARCELLUS TOWN BOARD		Telephone: (315) 673-3269	
		E-Mail:	
Address: 24 EAST MAIN STREET			
City/PO: MARCELLUS		State: NEW YORK	Zip Code: 13108
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>TOWN OF MARCELLUS TOWN BOARD</u>	Date: <u>June 8, 2015</u>	
Signature: _____	HON. MARY JO PAUL	

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

RESET

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The proposed legislation merely provides for the defense and indemnification of Town officers and employees in certain civil and criminal matters which arise out of the performance of said officers' and employees' public employment and/or duties. As such, enactment of the proposed legislation will not have a significant adverse impact on the environment.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

TOWN OF MARCELLUS TOWN BOARD _____ June 8, 2015 _____
 Name of Lead Agency Date

MARY JO PAUL _____
 Print or Type Name of Responsible Officer in Lead Agency Supervisor Title of Responsible Officer

 Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from Responsible Officer)

PRINT

RESET

A Local Law Providing for the Defense and Indemnification
of Town of Marcellus Officers and Employees

***ATTACHMENT TO APPENDIX B
SHORT ENVIRONMENTAL ASSESSMENT FORM***

Part 1, Question 1

The proposed legislation merely provides for the defense and indemnification of Town officers and employees in certain civil and criminal matters which arise out of the performance of said officers' and employees' public employment and/or duties. As such, enactment of the proposed legislation will not have a significant adverse impact on the environment.

May 30, 2015

Marcellus Town Board
24 E Main St.
Marcellus, NY 13108

To whom it may concern,

Hi, my name is Mikayla Catherman. I am 17 years old and currently in 11th grade at Marcellus High School. For my upcoming senior year, I am planning out my senior project. My goal is to host a walk/ride-a-thon that will raise money for the CNY SPCA located in Mattydale, New York.

I would like to have my walk-a-thon at the Marcellus Park. The date of Saturday, September 26th from 1:00 to 5:00 p.m. If you agree to my walk-a-thon, I would invite people to sign up and create pledges and raise money for the SPCA. They would bring their dogs and walk one trail. Others can bring down horses and ride them through a separate trail. I will have donated prizes for the top fundraisers that come. I have already obtained a certificate of insurance to cover the day's event. I have spoken to Mr. Coccia about planning the process. I have walked the trails to see where it would be best to hold the walk-a-thon/ride-a-thon.

I love animals, and I am planning on attending college to become a Licensed Vet Technician. I would love to own my own animal rescue business so that I can help animals in need. My family and I have rescued horses in the past, and I love to see the change in the animal when it learns what someone who loves and cares for it feels like.

I live in the Marcellus district and that is why I want to host my walk-a-thon at the Marcellus Park. I feel that for my senior project, hosting my walk-a-thon in my community, is the best way to get the most support. If we use the park, it will bring the community closer for a great cause. I am hoping if it goes well that I could do future walk-a-thons as well.

I plan on coming to the June 8th board meeting, if you have any questions for me. If you approve my walk-a-thon, I would like to start advertising and get posters up as soon as possible. Thank you for your consideration.

Sincerely,

Mikayla Catherman

SOLVAY BANK ACCOUNTS

- 1. T&A (CHECKING)
- 2. GEN. A (CHECKING)
- 3. GEN. B
- 4. DA
- 5. DB
- 6. RESERVES

Includes:

- Park Capital (A)
- Bldg. Capital (A)
- Cemetery (A)
- Highway Equip (DA & DB)
- Unemployment Insurance (A)

- 7. FLEX
- 8. ESCROW (Planning & Zoning) & (Sr. Trips)
- 9. FIRE DISTRICT
- 10. SEWER DISTRICTS (1 and 2)
- 11. HYDRANT DISTRICTS - 9 HY

Includes:

- Falls Road
- Falls Road Ext. 1
- Dublin
- Dunbar
- Marcellus Knolls
- NE Townline
- Gallinger Farms
- Amidon
- Drainage

- 12. WATER DISTRICTS - 13 WR/WT

Includes:

- Limeledge
- Limeledge Ext.
- Howlett Hill
- W. Seneca Tnpk.
- W. Seneca Tnpk .Ext. / Sage Meadow
- Slate Hill
- Slate Hill Ext
- Route 174 (2)
- Southern Onondaga (2)
- Platt Road
- Marcellus Knolls

(Replacing 26 Key Bank Accounts)

Needed Board Actions

- Eliminate "Special" bank account
and place monies in GEN.A FB account \$163,730

- Eliminate "ENTERPRISE" bank account
Place monies into GEN.A FB \$ 8,457

- Eliminate all separate Special District bank accounts:
Falls Road, Howlett Hill, Limeledge, Route 184,
Drainage, Southern Onondaga
Place with remaining 10 Districts into
HYDRANT, WATER AND SEWER bank accounts

- Declare DEFACTO the following Reserves and then
put the monies into other reserves:
 - A AMBULANCE to BLDG CAP. RESERVE \$121,071
 - A VOTING MACHINE to UNEMPLOYMENT INS. RESERVE \$ 2,034
 - DA TRUCK & MACHINERY to combine into
HIGHWAY EQUIPMENT \$ 8,294 + \$277

- Establish UNEMPLOYMENT INSURANCE RESERVE
With VOTING MACHINE RESERVE \$ 2,034

- Make adjustment to DRAINAGE account leaving \$1,459
Balance and moving remainder to GEN.A FB \$ 87,000

FUND BALANCES
Based on OSC AUD for 2014

AUD TOTAL FIND BALANCE:

- Appropriated FB for next year
- Unappropriated, Unreserved, Unassigned FB (EXCESS \$)
- Reserves under that fund

A	GENERAL	TOWN-WIDE
	<u>\$463,328</u>	Includes special account \$163,000
+	\$72,493	Park Capital, Bldg. Capital, Cemetery & Voting Machines
	<u>\$535,821</u>	
+	<u>\$158,500</u>	For Truck from DA
	<u>\$694,321</u>	ADJUSTED TOTAL FOR FB
	\$694,321	
—	<u>\$72,493</u>	Reserves set aside
	<u>\$621,828</u>	TOTAL Unreserved FB
—	<u>\$100,000</u>	APPROPRIATED FOR 2015 budget
	<u>\$521,828</u>	TOTAL Unreserved/Unappropriated
—	<u>\$500,000</u>	NEEDED FB *
	\$21,828	Adjustment
+	<u>\$87,000</u>	From DRAINAGE
	<u>\$108,828</u>	EXTRA FB: Add to Bldg. Capital Reserve
		: Add to B FB (\$36,000 = 20%)
		: Add to B FB for Compreh. Plan (\$5 - 10K)
*	\$240,000	= 20% Recommended FB
	\$200,000	= Paper mill Demolition
	\$60,000	= DEC Fines
	<u>\$500,000</u>	NEEDED FB 2015/2016

SM-1

AMBULANCE

\$121,071 DEFACTO - Move to A BLDG CAPITAL
OR Roll forward to offset Tax Levy
OR BOTH

SPECIAL DISTRICTS

DRAINAGE	\$88,459	
—	<u>-\$87,000</u>	ADJUSTMENT (Move to GEN A FB)
	\$1,459	REMAINING FB
HYD 1 (Dublin)	\$13,457	Roll Forward
Rte. 174	\$21,129	Roll Forward
Falls Rd (2)	\$38,115	Roll Forward or Refund
Howlett Hill	\$13,012	Roll Forward
So. Onondaga	\$5,503	Roll Forward
Limeledge	<u>\$37,602</u>	Roll Forward
	\$128,818	