

MARCELLUS TOWN BOARD AGENDA
Thursday, October 8, 2015

CALL TO ORDER

SALUTE TO FLAG

1. Accept Town Clerk's minutes of previous meetings.
2. Approve monthly activity, monthly statement of accounts, audit of bills and budget adjustments:
3. Procurement Policy Revision
4. Approve Bid for Entry Door
5. J-CAP 2017 Grant application approval
6. John Houser – Storm Water Issues
7. CNY SPCA Contract
8. Martisco Paper Mill

- 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:

Wednesday, October 14, 2015 – Budget Meeting – 5:00 pm Town Hall

Wednesday, October 21, 2015 – Budget Meeting – 5:00 pm Town Hall

Thursday, October 22, 2015 – Workshop/Board Meeting – 7:00 pm Town Hall

***Wednesday, October 28, 2015 – Budget Meeting – 5:00 pm Town Hall *** If Needed

**TOWN OF MARCELLUS
TOWN BOARD MEETING MINUTES**

September 14, 2015

A Regular Meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on Monday, September 14, 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; Christopher Mallone, Skaneateles Journal; Don MachLachlan, Highway Superintendent; Phil Coccia, Recreation Director; Susan Dennis, Deputy Town Clerk; Mike M. Ossit, Bill Southern, Mike Ossit and Sandy Taylor, Town Clerk.

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

Councilor Pollard made a motion seconded by Councilor Hunt to accept the minutes from the August 10, 2015 Town Board Meeting, the August 26, 2015 Special Meeting and the August 27, 2015 Town Board/Workshop Meeting.

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

Carried

The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk, Abstract #9 as of September 9, 2015, Claims #142859-142868, 142878-142912.

	<u>Expenses</u>
General Fund	\$ 28,064.67
General Fund – Part Town	180.44
Highway – Town Wide	11,402.12
Highway – Part Town	75,130.04
Water District	78,297.00
Trust & Agency	24.00
Total	\$193,098.27

Bills paid between meetings: The following Constellation Bills were paid Sept. 3, 2015.

Voucher Num.	Name	Amount Pd.
142856	Constellation New Energy, Inc.	\$74.32
142857	Constellation New Energy, Inc.	3.02
142858	Constellation New Energy, Inc.	7.32

Total

\$84.66

Board Members were given copies of the Activity Report as of September 3, 2015 and monthly statement of bank balances as of July 31, 2015.

	<u>Total Revenue</u>	<u>Total Expense</u>
General Fund	\$1,090,245.74	\$ 769,232.54
General Fund – Part Town	182,850.47	88,454.78
Highway – Town Wide	438,566.01	238,662.09
Highway – Part Town	317,307.61	251,182.80
Fire District	509,348.75	561,072.50
Hydrant Fund	3,279.04	53,507.81
Ambulance Fund	283,234.57	225,087.75
Sewer District	44,560.50	120,907.00
Water District	189,591.52	95,286.12

Supervisor Paul made a motion seconded by Councilor Pollard to approve and pay the bills, approve the monthly activity report as of September 3, 2015 and the monthly statement of bank balances as of July 2015.

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

Solar Panels: John Houser, Codes Officer, mentioned that the Solar Panel fees for Marcellus are only \$45, whereas, most Towns charge \$75. He recommended that the Town raises the price to \$75 because there is quite a bit of work involved in a Solar Panel Permit. Supervisor Paul made a motion seconded by Councilor O’Hara to raise the Solar Panel Permit fee from \$45 to \$75.

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

Complaint Procedure: Supervisor Paul made a motion seconded by Councilor O’Hara to accept the Complaint Procedures with the additions that Jim Gascon, Town Attorney, recommended.

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

Permissive Referendum – Welcome Center:

**TOWN BOARD RESOLUTION
TOWN OF MARCELLUS**

SUBJECT TO PERMISSIVE REFERENDUM

At a regular meeting of the Town Board of the Town of Marcellus, held at the Marcellus Town Hall, 24 East Main Street, in said Town, County of Onondaga and State of New York on Thursday, September 14 at 7:00 P.M., there were:

PRESENT:

Mary Jo Paul	Supervisor
Karen Pollard	Councilor
Kevin O’Hara	Councilor
John Scanlon	Councilor
Chris Hunt	Councilor

WHEREAS, the Town Board of the Town of Marcellus has been advised that roof repairs are necessary for the welcome center in Marcellus Park; and

WHEREAS, the Town Board and Town Recreation Supervisor have further determined that such improvement will benefit Park visitors and residents of the Town and attribute to the physical betterment of the Town of Marcellus Park; and

WHEREAS, in order to ensure the proper functioning of the welcome center and the safety of visitors and workers at Marcellus Park, the Town Board desires to repair the roof of the welcome center; and

WHEREAS, it is expected the cost of the roof repairs will not exceed Ten Thousand Dollars and 00/100 (\$10,000.00); and

WHEREAS, pursuant to Section 6-C of the General Municipal Law, the Town Board of the Town of Marcellus has created, by means of a resolution, a capital reserve fund known as the "Park Capital Reserve Fund" for purposes of funding the purchase of equipment, buildings and improvements for the physical betterment of the Town of Marcellus Park; and

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

WHEREAS, the Town Board of the Town of Marcellus is desirous of expending monies from the Park Capital Reserve Fund and for necessary roof repairs to the welcome center in Marcellus Park; and

NOW THEREFORE, BE IT RESOLVED, the Town of Marcellus Town Supervisor is hereby authorized to expend not more than Ten Thousand Dollars and 00/100 (\$10,000.00) from the Park Capital Reserve Fund for the necessary roof repairs to the welcome center, such price to include labor and materials; and

BE IT FURTHERE RESOLVED that the sum of Ten Thousand Dollars and 00/100 (\$10,000.00), be designated for expenditure from the Park Capital Reserve Fund in furtherance of the roof repairs, and

BE IT FURTHERE RESOLVED, that this resolution is subject to permissive referendum as provided in Article 7 of the Town Law; and

BE IT FURTHERE RESOLVED, that pursuant to Section 90 of the Town Law, that within ten (10) days from the date of this resolution the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the resolution, shall contain an abstract of said resolution concisely setting forth the purpose and effect thereof, shall specify that this resolution was adopted subject to a permissive referendum, and shall publish such notice in the "Eagle Observer", newspaper published in Onondaga County having general circulation in the Town of Marcellus, and in addition thereto that the Town Clerk shall post or cause to be posted on both the sign board and Website of the Town of Marcellus, a copy of such notice within ten (10) days after the date of adoption of this resolution.

Said resolution was offered by Supervisor Paul and seconded by Councilor Scanlon.

VOTE:	Mary Jo Paul	Supervisor
	Karen Pollard	Councilor
	Kevin O'Hara	Councilor
	John Scanlon	Councilor
	Chris Hunt	Councilor

Updates: Supervisor Paul reminded everyone that the Town Hall will be closed for Columbus Day – Monday , October 12, 2015.

Councilor Pollard asked if the Board could get a listing of all the bank accounts and how much is in each one.

A discussion ensued regarding the Highway Time Clock and the corrections/errors that took place between May and December of 2014.

Phil Coccia, Recreation Director, thanked Chris Mallone from the Skaneateles Journal for The following:

- 1) Correction in the paper about the grant being for the Stone Mill and Creek Hollow bathrooms.
- 2) For Chris Mallone coming to the Park and talking with some of the staff
- 3) Nominating Marcellus Park for people to vote on in the “Best of Syracuse”.

Supervisor Paul then stated that the Board was going to meet with Legal Council and asked if everyone would please exit the building.

Councilor Pollard made a motion seconded by Councilor Hunt to adjourn the Marcellus Town Board meeting at 8:00 P.M.

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

Carried

Respectfully submitted,

Sandy Taylor, Town Clerk

TOWN OF MARCELLUS
TOWN BOARD WORKSHOP MEETING MINUTES

Thursday, September 24, 2015

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

Mary Jo Paul, Supervisor
John Scanlon, Councilor
Karen Pollard, Councilor
Chris Hunt, Councilor

Absent – Kevin O’Hara, Councilor

Also present: Jim Gascon, Town Attorney; John Houser, Codes Officer; Don MacLachlan, Highway Superintendent; Christopher Mallone, Skaneateles Journal; Chuck Paul, Mike M. Ossit, Tom Lathrop, Bill Southern, Sandy Masters, Mike Ossit 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 Councilor Scanlon and seconded by Councilor Hunt amend the agenda: Take number 4 (MOU- Memo of Understanding) and move to the Workshop portion of the meeting. Insert Chocolate Pizza in place of MOU. Under Workshop portion of meeting – take off Metal Detector for the Park and New Software Demo for the Highway Dept.

Ayes – Pollard, Hunt, Scanlon and Paul

Carried

The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk, Abstract #9 as of September 18, 2015, claim #'s 142913-142937, 142947-142965.

	<u>Expenses</u>
General Fund	\$13,665.09
General Fund – Part Town	3,078.04
Highway – Town Wide	621.38
Highway – Part Town	5,298.43
Hydrant Fund	1,516.68
Water District	12,132.00
Trust and Agency	<u>1,817.87</u>
 Total	 \$38,129.49

Councilor Scanlon made a motion seconded by Councilor Pollard to approve and pay the bills.

Ayes – Pollard, Hunt, Scanlon and Paul

Carried

Liquor Permit: The Martisco Lions Club is asking the Town for permission to serve liquor at their Ham and Turkey Raffle to be held at the Marcellus Fire House on Sunday, November 22, 2015.

Councilor Hunt made a motion seconded by Councilor Pollard to approve the Special Event Permit Application for the Martisco Lions Club.

Ayes – Pollard, Hunt, Scanlon and Paul

Carried

Stormwater Coalition Resolution: Councilor Scanlon made a motion seconded by Councilor Pollard to approve the following CNY Stormwater Coalition Resolution.

Ayes – Pollard, Hunt, Scanlon and Paul

Carried

**Resolution Supporting Participation in the
CNY Stormwater Coalition Staff Services and Education Compliance Assistance Program**

Resolution authorizing the items listed below pursuant to requirements of the New York State Pollutant Discharge Elimination System Municipal Separate Storm Sewer System General Permit.

WHEREAS, The Town of Marcellus

(Legal Name of Municipality)

herein called the “Municipality”, after thorough consideration of the various aspects of the problem and consideration of available information, has hereby determined that certain work, as described in Attachment A, herein called the “Project”, is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Central New York Regional Planning & Development Board, herein called the “Board”, has provided program planning and implementation assistance pertaining to the requirements of the New York State Pollutant Discharge Elimination System (SPDES) Stormwater Phase II General Permit for Municipal Separate Storm Sewer System (MS4) operators since 2002, and

WHEREAS, the Board has proposed staff and education assistance services in support of sustaining the CNY Stormwater Coalition and to provide a regional public education, outreach and training compliance program to reduce municipal staff burdens, ensure consistency, provide widespread priority audience targeting the most efficient use of limited municipal funds by distributing total program costs over a number of entities within a twelve month timeframe as outlined in Attachment B;

NOW, THEREFORE, BE IT RESOLVED BY The Marcellus Town Board
(Governing Body of Municipality)

1. That Mary Jo Paul, Town Supervisor
(Name and Title of Chief Elected Official)

or such person’s successor in office is the representative authorized to act in behalf of the Municipality’s governing body in all matters related the Project;

2. That the Municipality agrees that it will fund its portion of the program cost in the amount of \$3,600, and that those funds will be made available to the Board upon receipt of invoice.
3. That one (1) certified copy of this Resolution will be prepared and sent to the Board upon adoption.
4. That this Resolution take effect immediately.

Private Road Name: A request came from Ryan Novak, Owner of Chocolate Pizza, to approve the following names for the road leading into Chocolate Pizza, Ultimate Goal, Wags and NAPA off of Lee Mulroy Road. The four names are Christie Lane, Connor Drive, Chocolate Parkway and Avalanche Way. Supervisor Paul made a motion seconded by Councilor Scanlon to approve the list of names from Ryan Novak. Supervisor Paul will send him a letter stating this so that he can follow up with the County. Ayes – Pollard, Hunt, Scanlon and Paul

Carried

Formal Bid – Door – After some discussion on the Bidding for the entryway door, it was discussed that the Board raise the limit on the Town's Procurement Policy (this would coincide with the States Recommendations). Councilor Pollard recommends that the Town raise the limit for the Procurement Policy. This will be put on the agenda for the October 8, 2015 meeting.

Workshop Meeting:

MOU – (Memo of Understanding): There was some discussion on the MOU between the Town, Village and Masters Pleasant View Farm, LLC (William and Sandra Masters) regarding the area on their property that the Village and Highway Departments regularly accumulate wood, trees, brush, stone, gravel, road surface material and related materials. After the discussion, Jim Gascon, Town Attorney, stated that he would do a little more research and contact the Attorney for William and Sandra Masters.

Peddlers Permit: There was discussion about the information the Town Clerks Office receives from Solicitors. The Village Clerk had sent over what they hand out to Solicitors. Jim Gascon, Town Attorney, is going to look at the Villages Permit and draft a copy for the Town.

Items from the Board

Supervisor Paul asked if Wednesday, September 30, 2015 at 4:30 would work for the Board Members to come to a Special Meeting to receive the Tentative Budget. Councilors Pollard, Hunt and Scanlon all agreed that this would be good.

Supervisor Paul reminded everyone that the Budget Meetings will be held on Wednesdays, Oct. 7, 14, 21 and 28(if necessary) at 5:00 pm, here at the Town Hall.

The Office will be closed on Monday, October 12, 2015

Councilor Pollard made a motion seconded by Councilor Hunt to adjourn the Marcellus Town Board meeting at 8:15 P.M.

Ayes – Pollard, Hunt, Scanlon and Paul

Carried.

Respectfully submitted,

Sandy Taylor, Town Clerk

TOWN OF MARCELLUS
TOWN BOARD SPECIAL MEETING MINUTES

September 30, 2015

A Special Meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on Wednesday, September 30, 2015, in the Town Hall, 24 East Main Street, Marcellus, New York. Those present were:

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

Absent – John Scanlon, Councilor

Also present: Sandy Taylor, Town Clerk

Supervisor Paul opened the meeting at 4:30.

The Town Clerk passed along to the Board the 2016 Tentative Budget as prepared by Lori Petrocci, Bookkeeper and Budget Officer and Mary Jo Paul, Town Supervisor, Treasurer and CFO for the Town of Marcellus.

The Supervisor then reminded the Board Members that the first Budget Meeting is Wednesday, Oct. 7, 2015 at 5:00 pm here at the Town Hall.

Councilor Hunt made a motion seconded by Councilor O'Hara to adjourn the Special Meeting at 4:45 pm.

Ayes – Hunt, Pollard, Paul and O'Hara

Carried

Respectfully Submitted,

Sandy Taylor, Town Clerk



CNYSPCA

*Please add the
Contract to Agenda*

CENTRAL NEW YORK SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

5878 EAST MOLLOY ROAD, SYRACUSE, NY 13211

Administration Offices (315) 454-4479

Cruelty Investigation (315) 454-3469

Development (315) 454-8787

Education (315) 454-0409

Fax (315) 454-4908

www.cnyspca.org

October 2, 2015

Town Supervisor
Town of Marcellus
Town Hall
24 East Main Street
Marcellus, NY 13108

Re: Animal Cruelty Contract 2016

Dear Supervisor:

Enclosed, you will find the Animal Cruelty Services contract for 2016. Please review and return to my attention by January 31, 2016. The CNY SPCA will continue to provide Cruelty Investigations for the Town until January 31, 2016.

If we do not receive a signed agreement by said date your municipality will have decided not to provide Animal Cruelty Services by the CNY SPCA. We look forward to continuing our service with you.

If you have any questions or concerns please contact me at 315-454-3771. Thank you for your time and cooperation.

Sincerely,

Paul C Morgan
Executive Director

RECEIVED

OCT 05 2015

MARCELLUS TOWN CLERK

THIS AGREEMENT, made this 1st day of January, 2016, by and between the Town of Marcellus municipal corporation in the State of New York, hereinafter called the "MUNICIPALTY" and the CENTRAL NEW YORK SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS", a charitable corporation organized and existing under the laws of the State of New York, having it's office and principal place of business at 5878 East Molloy Road, in the Town of Dewitt, County of Onondaga, and State of New York, hereinafter called "CNYSPCA"

WITNESSETH

The CNYSPCA in consideration of the payment to it by the Municipality of certain sums of money to be paid in the manner and at the times hereinafter particularly described, hereby covenants and agrees that:

The CNYSPCA shall promptly respond to, investigate violations of and enforce provisions of Article 26 of the Agriculture and Markets Law of the State of New York which are reported to it by the Municipality and which are occurring within the boundaries of the Municipality. Such services will include as necessary seizure of, removal and shelter of any animal found to be the subject of a violation of the above referenced law.

The CNYSPCA shall bill the Municipality on an annual basis for services rendered herein.

The Parties agree that the total amount to be paid by the Town of Marcellus for all services of the CNYSPCA to be provided under this agreement on an annual basis of \$559.00. Payment shall be due in 30 days of sign agreement.

The CNYSPCA shall have the absolute right to terminate this agreement and such action shall not be deemed a breach of contract. The CNYSPCA may terminate this agreement with 30 days noticed delivered or mailed to the Municipality.

The CNYSPCA is insured for acts or omissions of its employees with proof of insurance to be provided upon the execution of this contract.

BUILDING ASSESSMENT SUMMARY REPORT
October 2, 2015

CONCLUSIONS AND RECOMMENDATIONS

Based on the information reviewed, it is our opinion that the structural integrity of the building and the multiple retaining wall systems at this property has been compromised and pose a dangerous condition to the public. Therefore, we recommend that the property owner immediately performs the necessary repairs to the building structure, retaining walls and general site improvements in order to remove the hazards associated with these compromised building elements. All required improvements should be performed by a qualified contractor and in accordance with the building permit requirements of the Town of Marcellus, as well as the requirements of the New York State building code.

Should the owner decide not to perform the repairs to the building and site related features, it is our recommendation that the Town of Marcellus implement a condemnation of the building and subsequently demolishes the structure and repairs/replaces the failing retaining walls in the interest of public safety. The demolition activities will also require planning with other regulatory and public utility companies (i.e., New York State Department of Transportation, New York State Department of Environmental Conservation, United States Army Corps of Engineers, United States Fish & Wildlife, National Grid, Onondaga County Water Authority, etc.) prior to and during the proposed site work. *NYSEG*

Additionally, there may be non-structural issues that should be taken into consideration. Given the age of this structure and the prior manufacturing activities that were performed at this site, it is likely that asbestos-containing materials and/or "other" recognized environmental concerns (RECs) may be present within the building and around site. These conditions should be further evaluated as part of the overall repair or condemnation program.

In either case, it is recommended that the public warning program (i.e., temporary fence and placards) remains in place and is maintained until the site work has been completed.

LIMITATIONS

This building and property assessment was performed based on a review of readily accessible and visible locations along the exterior of the structure and TDK Engineering's experience in the field of building design, construction and forensic investigations. Except as stated herein, no structural calculations, destructive testing and/or removal of existing wall components were performed.

Additionally, no access to elevated areas of the building, including the roof area was performed by means of an aerial lift or otherwise. Therefore, TDK Engineering reserves the right to modify this assessment report based on information obtained from any further investigation and examination activities if requested or deemed warranted.