

MARCELLUS TOWN BOARD/WORKSHOP AGENDA  
October 22, 2015

CALL TO ORDER

SALUTE TO FLAG

1. Approve vouchers
2. Demonstration of new Highway Software
3. Review Draft for Local Law relative to soliciting
4. Review MAVES Quarterly Report
5. Syracuse Time and Alarm

Supervisor's Update  
Items from the Board  
Items from the Floor

Adjournment

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

Future Meeting Dates:

Monday, November 2, 2015 – Planning/Zoning Board Meeting – Town Hall 7:00 pm  
Thursday, November 5, 2015 – Town Board Meeting – Town Hall 7:00 pm  
Thursday, November 19, 2015 – Town Board/Workshop Meeting – Town Hall 7:00 pm

\*\*\*Town Office will be closed on Wednesday, November 11, 2015 – Veteran's Day

**TOWN OF MARCELLUS**

**PROPOSED LOCAL LAW NO. D of 2015**

**A LOCAL LAW REGULATING SOLICITATION, PEDDLING AND HAWKING  
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, New York Municipal Home Rule Law § 10.

**SECTION 2.            LEGISLATIVE INTENT**

The purpose of this Local Law is to preserve the public peace and good order in the Town of Marcellus and to contribute to the public welfare and good order of its people by enforcing certain regulations and restrictions, which shall include registration and application obligations on hawkers, solicitors and peddlers in order to prevent fraud, crime and unethical and dishonest business practices within the Town of Marcellus and to protect the residents from such conduct.

**SECTION 3.            DEFINITIONS**

**APPLICANT** – The individual who has registered or is about to register to act as a solicitor, peddler or hawker in the Town of Marcellus.

**BUSINESS** – The business carried on by a person who is a solicitor, peddler or hawker seeking to sell merchandise, services or take orders for such by traveling door to door and entering the boundaries of residential areas, including multi-family buildings, condominiums and similar places where people reside.

**CANVASSER** – One who attempts to make personal contact with a person at his or her residence within the Town of Marcellus and without his or her prior consent, to:

1. Request or attempt to induce or persuade any person to support a particular charitable, educational, civic, patriotic, political, benevolent, religious or philanthropic project or cause;
2. Seek or ask for a gift or donation for a public entity or nonprofit organization exempt from federal income tax under 26 U.S.C. 501(c)(3);
3. Sell goods, wares, merchandise, tickets, articles, services, publications, advertisements, subscriptions or things of any kind or value, with the entire proceeds of such sale to be paid directly to or used exclusively for the

benefit of a public entity or nonprofit organization exempt from federal income tax under 26 U.S.C. 501(c)(3);

4. Personally deliver a handbill or flyer advertising a future event, activity, good or service that is noncommercial in nature or otherwise not-for-profit.

**GOODS** – Merchandise of any description, including but not limited to wares, foodstuffs and services provided to utilize goods.

**HAWKING** – The selling or offering for sale of any goods, wares, merchandise or services on the street by outcry or by attracting the attention of persons by exposing goods in a public place, or by placards, labels or signals.

**PEDDLER** – Any person who shall engage in peddling, as hereinafter defined.

**PEDDLING** – The selling or offering for sale of any goods, wares, merchandise or services for immediate delivery, which the person selling or offering for sale carries with him in traveling or has in his possession or control upon any of the streets or sidewalks or from house to house within the Town of Marcellus.

**PERSON** – Any natural person, association, partnership, firm, corporation, limited liability company, joint venture or any other form of business organization or entity.

**RESIDENCE** – Every separate living unit occupied for residential purposes by one or more persons, contained within any type of building or structure located within the Town of Marcellus.

**SOLICITING** – The seeking or taking of contracts or orders for any goods, wares, merchandise or services for future delivery; or for contracts or orders or subscriptions of any kinds; or donations, gifts or contributions of any kind, including money, clothing or any other valuable things, upon any streets or sidewalks or from house to house within the Town of Marcellus.

**SOLICITOR** – Any person who shall engage in soliciting, as hereinabove defined.

**TOWN** – The Town of Marcellus, New York.

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

#### **SECTION 4.           REGISTRATION REQUIRED**

No person shall engage in soliciting, peddling or hawking within the Town without first registering with the Town Clerk or an authorized representative of the Town.

**SECTION 5.            REGISTRATION FEES**

No registration shall be accepted under this Local Law except upon payment of the established fee to the Town Clerk. The amount of such fee shall be established from time to time by resolution of the Town Board.

**SECTION 6.            APPLICATION REQUIREMENTS**

A. Every person desiring to engage in soliciting, peddling or hawking in the Town shall first register, under oath, with the Town Clerk. Upon such application, such person shall give the following information:

1. The name, address, telephone number and birth date of the applicant;
2. Prior convictions of a crime, misdemeanor or violation of any ordinance, the nature, place and date of such offense and disposition of same;
3. The name, address and telephone number of the person for whom the applicant works and a letter appended to the application authorizing the applicant to represent the person the applicant purports to represent, if any;
4. The type or types of article, device, subscription, contribution, service or contract which the applicant desires to sell or for which the applicant wishes to solicit within the Town;
5. The dates and locations of soliciting, peddling or hawking;
6. The type of vehicle the applicant will be using while in the Town and its license number; and
7. Such other business and personal information as the Town Board finds reasonably necessary to protect the public.

B. Where a person makes application for himself or herself and one or more others, all applicable personal information specified above shall be given for each person and an individual registration shall be required for each person.

**SECTION 7.            EXPIRATION OF REGISTRATION**

A registration issued as provided in this Local Law shall automatically expire on January 1st following the date of issuance, but such registration may specifically state and provide for a specific expiration date.

**SECTION 8.            ASSIGNMENT OF REGISTRATION**

A registration as provided in this Local Law shall not be assignable. Any person who holds such registration who permits it to be used by any other person and any person who uses a registration granted to it by another person shall each be guilty of a violation of this Local Law.

**SECTION 9.            PROOF OF REGISTRATION**

Every person registered pursuant to this Local Law shall carry the registration with him or her and shall exhibit the same upon demand.

**SECTION 10.         DENIAL OR REVOCATION REGISTRATION**

A. Registration may be denied or revoke for any of the following reasons:

1. Fraud, misrepresentation or any false statement made in furnishing the information required by this Local Law;
2. Fraud, misrepresentation or any false statement made in the course of conducting the activities for which the person is registered;
3. Any violation of this Local Law;
4. Conviction of the registration holder of any felony or crime involving moral turpitude;
5. Conducting the soliciting, peddling or hawking in an unlawful manner or in such manner as to constitute a breach of the peace or to be a threat to the health, safety or general welfare of the people of the Town.

B. Any person whose registration has been denied or revoked shall be entitled to appear, with counsel, if desired, before the Town Board of the Town, at a regular or special meeting, and be heard on behalf of a request for issuance or reinstatement of said registration.

**SECTION 11.         DAY AND HOUR LIMITATIONS**

Except upon invitation from or an appointment with a particular resident, no person shall engage in soliciting, peddling or hawking during the following times:

- A. At any time on Sundays or national holidays; and
- B. Before 8:00 a.m. or after 8:00 p.m. on any other day.

**SECTION 12.            PROHIBITED ACTS**

- A. No person engaged in soliciting, peddling or hawking shall occupy any of the streets, alleys or sidewalks of the Town for the purpose of soliciting, peddling or hawking, with or without any stand or counter.
- B. No person engaged in soliciting, peddling or hawking shall enter upon premises for the purpose of soliciting, peddling or hawking which are posted with signs indicating that soliciting, peddling or hawking thereon is prohibited.
- C. No person engaged in soliciting, peddling or hawking shall refuse to leave the premises owned, leased or rented by another after having been notified by the owner or occupant of such premises, or his agent, to leave the same and not return to such premises.
- D. No person engaged in soliciting, peddling, hawking or canvassing shall falsely or fraudulently misrepresent the quantity, character or quality of any good, merchandise or article offered for sale or offer any unwholesome, tainted or diseased provisions of any good merchandise or article.

**SECTION 13.            SALES ON TOWN PROPERTY**

Notwithstanding any other provision of this Local Law, no person shall sell merchandise at any public function held in the Town or on lands owned by the Town without first obtaining written permission thereof from the Town Board; and the Board may, from time to time, adopt rules and regulations concerning such sales.

**SECTION 14.            EXEMPTIONS FROM REGISTRATION REQUIREMENTS**

The following persons are exempt from the registration requirements of this Local Law:

- A. Persons 18 years of age or under engaged in selling or soliciting the sale of goods or services for educational, non-profit or religious purposes.
- B. Persons who act solely as canvassers within the Town of Marcellus as defined herein.

**SECTION 15.            RECORDS; SUPERVISION**

The Town Clerk shall keep a record of all registrations made under this Local Law, including the number and date of each registration, and the name, age and residence of each registered person, and the Town Clerk shall supervise the activities of all registered persons.

**SECTION 16.            PENALTIES AND ENFORCEMENT**

- A. Any person violating the provisions of this Local Law shall be guilty of an offense and, upon conviction thereof, shall be punishable by a fine of not more than \$250 or imprisonment for not more than 15 days, or both such fine and imprisonment. Each day's continuation of the offense shall be considered a separate punishable offense.

B. In addition or as an alternative to the above provided penalties, the Town Board may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of this Local Law.

C. In addition, any person who violates any provision of the foregoing may be subject to a loss of registration privilege herein granted.

**SECTION 17. 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 18. EFFECTIVE DATE**

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



# M.A.V.E.S., Inc.

Marcellus Ambulance Volunteer Emergency Services, Inc.  
PO Box 203  
3707 Lee Mulroy Road  
Marcellus, New York 13108  
315.494.1069 fax 315.494.1071



October 15, 2015

RECEIVED

OCT 5 2015

MARCELLUS AMBULANCE

Town of Marcellus  
Supervisor Mary Jo Paul  
24 East Main Street  
Marcellus, New York 13108

Re: MAVES Call Report

Supervisor Paul  
Councilman Scanlon:

The following data represents the information as agreed upon in the contract. The numbers are correct to best of my knowledge and reflect the period of July 1<sup>st</sup> – September 30<sup>th</sup> 2015.

		<u>Quarter</u>	<u>Year to date</u>
i.	Dispatched calls:	<b>220</b>	602
ii.	Calls Responded:	<b>210</b>	569
iii.	Calls unable to Respond:	<b>10</b>	33
iv.	Patient Location on Dispatch:		
	Town and Village of Marcellus –	<b>134</b>	353
	All Other Districts –	<b>86</b>	249
v./vi.	Total ALS and BLS Calls in all Districts:		
	Total Patient Refusals and Cancelled in all Districts:		

<b>Jul</b>	ALS	26	<b>Aug</b>	ALS	37	<b>Sep</b>	ALS	26
	BLS	21		BLS	17		BLS	28
	Refusals	9		Refusals	10		Refusals	9
	Other	1		Other	0		Other	0
	Cancelled	19		Cancelled	9		Cancelled	7

Sincerely,

Stephen Knapp, Executive Director  
MAVES, Inc.

10/14/15

MAVES Inc.  
Profit & Loss  
January through September 2015

RECEIVED  
OCT 15 2015

Jan - Sep 15 MARCELLUS TOWN CLERK

Ordinary Income/Expense

Income

4010 · Ambulance Service Fees	114,152.61
4010.2 · Amb District Contract Funds	212,280.75
4010.3 · Mrcellus Ambulance fees	123,802.55

237,955.16

Total Income 450,235.91

Gross Profit 450,235.91

Expense

2015 New Ambulance	25,774.31
Ambulance Lease	8,596.00
Communication	
6011 · Cell Phones	2,362.31

Total Communication 2,362.31

Equipment Leasing 649.00

Insurance

6106 · Liability	21,826.14
6114 · Workers Compensation	14,061.85

Total Insurance 35,887.99

Interest Expense 19,843.36

Life-Pak Maintain Contract 885.00

Paid Staff

Payroll Admin Fee 8,828.17

6004 · Payroll	
Delivery Fee	232.50
Gross Payroll	245,659.04

Total 6004 · Payroll 245,891.54

6006 · Benefits 22,569.23

Total Paid Staff 277,288.94

Repairs

6101 · Equipment/Apparatus 6,955.10

Total Repairs 6,955.10

6005 · Billing Commission 26,738.87

6009 · Professional Fees

6009.1 · Accounting	2,460.00
6009.2 · Legal Fees	920.00
6009.3 · IT Tech	231.00

Total 6009 · Professional Fees 3,611.00

6013 · Postage & Delivery 230.68

6017 · Travel 0.00

6080 · Capital Improvement 15,005.77

6090 · New Equipment 4,146.84

6100 · Fuel 5,853.03

6102 · Medical Supplies 11,221.47

6107 · Uniforms 927.95

6116 · Training 601.38

6116.1 · CPR Classes 60.00

6310 · Recruitment/Retention 254.07

6311 · Supplies

6311.1 · Computer	1,325.74
6311.2 · Office	818.83
6311.3 · General Supplies/Materials	1,193.33
6311.4 · Legal Publications	23.40

Total 6311 · Supplies 3,361.30

6313 · Postage - M&G 157.75

6321 · Bank Service Charges 1,467.83

6400 · Miscellaneous 150.00

6418 · Dues 242.50

10/14/15

MAVES Inc.  
Profit & Loss  
January through September 2015

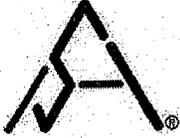
	Jan - Sep 15
6419 · Licenses & Permits	
Misc	25.00
<b>Total 6419 · Licenses &amp; Permits</b>	<b>25.00</b>
6500 · Building Expenses	
6501 · Inside Maintenance	1,584.51
6502 · Outside Maintenance	1,618.47
6503 · Supplies	
6503a · Kitchen	37.95
6503b · Facility	744.83
6503 · Supplies - Other	177.25
<b>Total 6503 · Supplies</b>	<b>960.03</b>
6504 · Utilities	3,300.91
6510 · Furnishings	
6510a · Garage	212.12
<b>Total 6510 · Furnishings</b>	<b>212.12</b>
6515 · Trash Removal	327.32
6520 · County & Town Tax	652.72
<b>Total 6500 · Building Expenses</b>	<b>8,656.08</b>
8011 · late fee	10.94
<b>Total Expense</b>	<b>460,964.47</b>
Net Ordinary Income	-10,728.56
Net Income <i>LOSS</i>	-10,728.56

\$452,297.45

- \$2,061.54

- ① Total expenses less Building and late fee
- ② Net Loss not including Building expense and late fee





**SYRACUSE TIME & ALARM CO., INC.**

2201 BURNET AVE.  
SYRACUSE, NY 13206-2930

Ph: (315) 433-1234 EXT129 · (800) 762-2667 · Fax:(315) 463-5006  
JLEMAY@syrtime.com Web: www.syrtime.com

**QUOTATION**  
**45149**

Page 1 of 2

**Bill To:**  
**TOWN OF MARCELLUS**  
24 E. MAIN STREET  
MARCELLUS, NY 13108  
PH: (315) 673-3269  
ATT: MARY JO PAUL

**Work Site:**  
**TOWN OF MARCELLUS**  
24 E MAIN ST ,  
MARCELLUS, NY 13108  
FAX: (315) 673-0959  
REF:

**Date:** 10/14/2015  
**Expires:** 11/13/2015  
**Terms:** 2%10 DAYS NET 30  
**Ship Method:** Ground  
**Sales Rep:** JFL  
**FOB:** Delivered

Qty	Part#	Description	Unit Price	Extended
1	MON3	COMMERCIAL FIRE	\$336.00	\$336.00

This Quotation Does Not Include An Allowance For Contract Held Retainage.  
Payment Is Expected In Accordance To Our Standard Terms.

Thank you for your business

Wednesday, October 14, 2015

"Our Concern Makes The Difference" ®





**SYRACUSE TIME & ALARM CO., INC.**

2201 BURNET AVE.  
SYRACUSE, NY 13206-2930

Ph: (315) 433-1234 EXT129 · (800) 762-2667 · Fax:(315) 463-5006  
JLEMAY@syrtime.com Web: www.syrtime.com

**QUOTATION**  
**45138**

Page 1 of 2

**Bill To:**

**TOWN OF MARCELLUS**

24 E. MAIN STREET  
MARCELLUS, NY 13108  
PH: (315) 673-3269  
ATT: MARY JO PAUL

**Work Site:**

**TOWN OF MARCELLUS**

24 E MAIN ST ,  
MARCELLUS, NY 13108  
FAX: (315) 673-0959  
REF:

**Date:** 10/13/2015  
**Expires:** 11/12/2015  
**Terms:** 2%10 DAYS NET 30  
**Ship Method:** STA Delivery  
**Sales Rep:** JFL  
**FOB:** Delivered

Qty	Part#	Description	Unit Price	Extended
1	411UDAC	DIGITAL ALARM COMMUNICATOR TRANSMITTER	\$356.31	\$356.31
4	LABOR	HOURS OF LABOR PERFORMED ON PV-FIRE ALARM	\$130.00	\$520.00
1	MISC.HDWR.	MISC. CABLE, CONNECTORS AND MOUNTING HARDWARE, ETC.	\$600.00	\$600.00
1	13108	TRAVEL TO MARCELLUS IN ONONDAGA COUNTY	\$49.00	\$49.00

This Quotation Does Not Include An Allowance For Contract Held Retainage.  
Payment Is Expected In Accordance To Our Standard Terms.

Thank you for your business