

MARCELLUS TOWN BOARD AGENDA
May 9, 2016

CALL TO ORDER

SALUTE TO FLAG

Public Hearing – A Local Law Regarding solicitation, Peddling, and Hawking within the Town
Of Marcellus

- I. Accept Town Clerk's minutes of previous meetings.
- II. Approve monthly audit of bills
- III. Old Business
- IV. New Business
 - a) Chip VanDerHoof – Donation
 - b) SAM Grant – Highway Garage
 1. SEQR
 2. Project Funding Resolution
 - c) E-Waste Recycling
 - d) Pump out Sump Pump at Highway Garage
 - e) Highway Rental of Equipment
 - f) Adopt Local Law
 - g) Speed Limit Request – Frank Gay Road
 - h) Recreation Handbook
 - i) Recreation Agreements
 - j) Workday Resolution
 - k) Thank You – Tom Kuss foundation for donation

Discussion Agenda

- A. Items from the Board
- B. Items from the Floor

Adjournment

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

Workshop Meeting – Thursday, May 26, 2016 – 5:30 pm – Town Hall
Planning/Zoning Board Meeting – Monday, June 6, 2016 – 7:00 pm – Town Hall
Town Board Meeting – Monday – June 13, 2016 – 7:00 pm – Town Hall

TOWN OF MARCELLUS

PROPOSED LOCAL LAW NO. A of 2016

**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.

TOWN OF MARCELLUS
TOWN BOARD MEETING MINUTES

April 11, 2016

A Meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on Monday, April 11, 2016, in the Town Hall, 24 East Main Street, Marcellus, New York. Those present were:

Karen Pollard, Supervisor
Kevin F. O'Hara, Councilor
John Cusick, Councilor
Chris Hunt, Councilor
Laurie Stevens, Councilor

Also present: Jim Gascon, Town Attorney; Phil Coccia, Recreation Director; Don MacLachlan, Highway Superintendent; Ellen Leahy, Skaneateles Journal; Gary and Linda Wilcox, Mike Ossit, Tom Lathrop, Bill Southern, Susan Dennis, Deputy Town Clerk and Sandy Taylor, Town Clerk.

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

Minutes: Councilor O'Hara made a motion seconded by Councilor Stevens to accept the Town Clerks minutes from the March 10 - Condemnation Hearing, March 14 – Town Board Meeting and the March 24 – Workshop Meeting.

Ayes – Pollard, Stevens, Hunt, O'Hara and Cusick Carried

The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk, Abstract #4 as of April 8, 2016 Claims #143822- 143834, 143856-143888. Trust and Agency Claim #'s 143706-143713, 143773-143780, 143813-143821, 143835-143855.

	<u>Expenses</u>
General Fund	\$9,778.09
General Fund – Part Town	57.44
Highway – Town Wide	1,374.43
Highway – Part Town	7,867.85
Trust & Agency	<u>25,570.58</u>
 Total	 44,648.39

Councilor Stevens made a motion seconded by Councilor Hunt to approve and pay the bills.

Ayes – Pollard, Stevens, Hunt, O'Hara and Cusick Carried

OLD BUSINESS:

Susan Mezey – Pavilion Request: Councilor Stevens made a motion seconded by Councilor Hunt to deny the request from Susan Mezey to waive/reduce the fee for a Pavilion rental for Vacation Bible School.

Ayes – Stevens, Hunt, Pollard Nay – Cusick Abstain – O'Hara Carried

Peddlers Permit: Councilor Hunt made a motion seconded by Councilor Cusick to schedule a Public Hearing on May 9, 2016 at 7:00 pm regarding a Peddlers Permit Law.
Ayes – Pollard, Stevens, Hunt, O’Hara and Cusick Carried

Flags in Cemetery: Councilor O’Hara made a motion seconded by Councilor Cusick to put the small flags up in the Town Cemetery just before Memorial Day and to be taken down the first business day after July 4. The American Legion puts the flags up and the Parks Department takes them down.
Ayes – Pollard, Stevens, Hunt, O’Hara and Cusick Carried

Metal Detectors In Park: Councilor Hunt made a motion seconded by Councilor O’Hara to prohibit metal detectors in Marcellus Park. Phil Coccia, Recreation Director, said he would have a couple of signs made up to post at the entrances to the Park.
Ayes – Pollard, Stevens, Hunt, O’Hara and Cusick Carried

Change time of Workshop Meetings: Councilor Hunt made a motion seconded by Councilor Stevens to start the Workshop Meetings at 5:30. This will begin with the April 28, 2016 Workshop Meeting. The regular Business Meetings will still be held at 7:00 pm – unless otherwise noted.
Ayes – Pollard, Stevens, Hunt, O’Hara and Cusick Carried

NEW BUSINESS:

E-Waste Recycling: Don MacLachlan, Highway Superintendent, received information on having an E-waste Recycling Day. At the Spring and Fall trash days, residents will ask about bringing old televisions, computers, monitors and other electronic items. The Board has decided that Saturday, June 18, 2016, we will have an E-Waste Recycling Day here at the Town Hall. Prices to be determined at the April 28, 2016, Workshop Meeting.

Speed Limit: Councilor Stevens made a motion seconded by Councilor Cusick to send a letter of support to the County to reduce the speed limit on Pleasant Valley Road in the section from where the current 35 mph speed limit ends to the intersection of Gardner Road
Ayes – Pollard, Stevens, Hunt, O’Hara and Cusick Carried

Consensus Information: Supervisor Pollard received information on the Consensus from the Association of Towns that shows some of the Association of Towns concerns. Also, the Town of Van Buren unanimously opposes the concept of a merged city/county government.

Sewer System Information: Supervisor Pollard stated that a resident on Hall Ave had sewer issues and didn’t know who to contact. Supervisor Pollard gave John Curtin, The Marcellus Village Mayor, a list of all Town Residents who are in sewer districts (the Village now takes care of the sewers) and he sent a letter to the residents explaining who to contact and what can and cannot be dumped into the sewer system.

Liquor License: Supervisor Pollard received a request from Free Range Food, LLC DBA Valley Inn, asking to waive the 30 day notification for a liquor license. A waiver was approved at the April 8, 2015 Town Board Meeting. This is a second 30 day notice required by the NYS Liquor Authority because the previous Community Board Notice

has exceeded the one year period. Councilor Hunt made a motion seconded by Councilor O'Hara to authorize Supervisor Pollard to sign the waiver.

Ayes – Pollard, Stevens, Hunt, O'Hara and Cusick

Carried

Fire Inspection Report: John Houser, Codes Officer, stated that the Town Hall needs more emergency lighting if the power should ever go out. The lighting is needed upstairs, downstairs and in the basement at the Town Hall and also outside by the main entrance. John will get some prices on the lighting to be discussed more at the Workshop Meeting – April 28, 2016. Bill Southern, Town Resident, stated that something should be done upstairs as well for an emergency exit.

Solar Regulations Draft: Jim Gascon, Town Attorney, stated that there are three methods for installing Solar Panels, (incorporate into a building, free standing or attach to a building). Since Solar is becoming a wave of the future, the Town Board and Zoning Board should decide on some boundaries. Supervisor Pollard will try and set up a joint meeting between the Town Board and Zoning Board at the May Workshop Meeting.

Home Repairs for the Elderly: Phil Coccia, Recreation Director, received some information from Onondaga County to receive grants for home repairs or ramps. There are eligibility requirements for each grant. Mr. Coccia, will distribute the flyers around town and there will be some here at the Town Hall.

Community Development Grant Resolution:

**TOWN OF MARCELLUS
TOWN BOARD RESOLUTION**

April 11th, 2016

Upon motion of Councilor O'Hara, seconded by Councilor Stevens, the following motion was made:

WHEREAS, the Town of Marcellus is desirous of commencing a project to make the bathrooms at the Stone Mill/Creek Hollow handicap accessible and to install environmentally beneficial toilets that will use less water than the toilets presently in place (hereinafter the "Project"); and

WHEREAS, the Onondaga County Community Development Division has authorized \$37,000 in funding for the Project by way of a proposed agreement attached hereto as **Exhibit "A"**; and

WHEREAS, a contract between Onondaga County Community Development and a municipality requires a Town Board resolution authorizing the contract before the contract can be fully executed; and

WHEREAS, said contract requires the Town Supervisor to sign for the contract and sign the “conflict of interest affidavit” attached to the contract; and

WHEREAS, it is the intention of the Marcellus Town Board to authorize the complete execution of the contract attached as Exhibit “A”;

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, the Town Board hereby approves and authorizes the Town Supervisor to execute the contract attached hereto as Exhibit “A” and authorizes the Town Supervisor to sign for the contract and for the conflict of interest affidavit.

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

Karen Pollard	Supervisor	Voted	Aye
Chris Hunt	Councilman	Voted	Aye
Kevin O’Hara	Councilman	Voted	Aye
Laurie Stevens	Councilman	Voted	Aye
John Cusick	Councilman	Voted	Aye

Resolution duly adopted.

Storm Water Report: Councilor Stevens made a motion seconded by Councilor Cusick to authorize Supervisor Pollard to sign and accept the Annual Storm Water Report. This report is done on a yearly basis by John Houser, Codes Officer.

Ayes – Pollard, Stevens, Hunt, O’Hara and Cusick

Carried

Discussion Agenda

Items from the Board – Supervisor Pollard spoke to Bob Wilson about who on the board would like to march in the Memorial Day Parade. The parade will be held on May 30, 2016 and you start lining up at 9:45 am. Please let Mr. Wilson know if you would be interested

Also, Jim Gascon, will be taking over the organizing of the Parade for Old Home Days. Any elected officials should let him know if they are interested in marching. The Old Home Days Parade will be June 4, 2016 at 3:00 pm.

Items from the Floor

Bill Southern, Town Resident, asked if John Houser was going to disconnect the clock that is behind the wall hanging in the board room.

Phil Coccia, Recreation Director, has spoken with the administrators at the school regarding the Recreation Program. The school is allowing the Town some space, it is limited, but we are in good shape.

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

Ayes – Pollard, Stevens, Hunt, O’Hara and Cusick

Carried

Respectfully submitted,

Sandy Taylor, Town Clerk

TOWN OF MARCELLUS
TOWN BOARD WORKSHOP MEETING MINUTES

Thursday, April 28, 2016

A Workshop Meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on Thursday, April 28, 2016, in the Town Hall, 24 East Main Street, Marcellus, New York. Those present were:

Karen Pollard, Supervisor
Kevin F. O'Hara, Councilor
Chris Hunt, Councilor
Laurie Stevens, Councilor

Absent – John Cusick, Councilor

Also present: Jim Gascon, Town Attorney; Don MacLachlan, Highway Superintendent; Phil Coccia, Recreation Director; Bill Southern, Penny Poorman, Sue Seabury, Tom Lathrop and Sandy Taylor, Town Clerk.

Supervisor Pollard opened the meeting at 5:30 pm. with the Pledge of Allegiance to the Flag.

The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk, Abstract #4 as of April 27, 2016, claim #'s 143897-143905, 143907-143934, 143943-143946.

	<u>Expenses</u>
General Fund	8,774.62
General Fund – Part Town	370.70
Highway – Town Wide	2,830.68
Highway – Part Town	364.00
Ambulance Fund	<u>70,760.25</u>
Total	\$83,100.25

Councilor Stevens made a motion seconded by Councilor O'Hara to approve and pay the bills.

Ayes – Pollard, Stevens, Hunt and O'Hara

Carried

Approval of purchase for Bridge Project: Councilor Hunt made a motion seconded by Councilor Stevens for Don MacLachlan, Highway Superintendent, to purchase the materials needed for the Bridge on Brewer Road. The amount of materials is \$50,004.68. The amount is state contract bid.

Ayes – Pollard, Stevens, Hunt and O'Hara

Carried

Adjourn Regular Board Meeting: Councilor Hunt made a motion seconded by Councilor O'Hara to close the Regular Board Meeting and proceed to the Workshop Meeting at 5:35 pm.

Ayes – Pollard, Stevens, Hunt and O'Hara

Carried

WORKSHOP AGENDA

E-Waste Recycling: There was discussion on the prices for the e-waste recycling that will be held here at the Town Hall on Saturday, June 18, 2016 from 8:00 am – 12:00 noon. The board will vote on prices at the May 9, 2016 Board Meeting.

Town Brush Disposal: An e-mail was received on the steps to prevent all contractors from dumping trees, brush or yard waste at Town of Manlius Dump site. There was discussion if the Town of Marcellus has any regulations. Don MacLachlan, Highway Superintendent, stated that he does have signs up that no contractors are to dump at the Brush pile. He will be keeping an eye on this as we move forward.

Emergency Lights: John Houser, Codes Officer, stated that he has not received any quotes yet for emergency lighting in the Town Hall. Bernie Montgomery, Frank Gay Road, asked if an emergency escape from the upstairs would be more important at this time then emergency lights. After some discussion, John stated that when they have their next Safety Committee Meeting, they will be discussion the fire escape situation.

Pump Out Sump Pump at Garage: Don MacLachlan, Highway Superintendent, received three quotes to have the drains and oil/water separator cleaned out at the Highway Garage. The quotes are as follows:

NCR \$5,625.00

Paragon Environmental Contruction, Inc. \$4,075.00

Safety-Kleen \$1,242.45

Don stated that Safety –Kleen has been there before, but he will contact them to get a more detailed quote. This will be further discussed at the May 9, 2016 meeting.

Speed-Limit Request: Supervisor Pollard received another request for a speed limit reduction on Frank Gay Road. The Town only can support the request by sending it on to the county. This will be on the May 9, 2016 meeting for a vote.

Storm Water: John Houser, Codes Officer, gave a brief report on Storm Water. He receives education from NYS for the proper runoff procedures for the residents. He showed some pictures of where a silt fence is needed and where they are put up correctly.

Recreation Handbook: Phil Coccia, Recreation Director, stated that they sent the Recreation Handbook to HR ONE for review. The information for the Recreation Handbook was taken from the Town of Marcellus Handbook. This will be on the agenda for the approval at the May 9, 2016 Meeting.

JCAP Grant Update: Supervisor Paul stated that between the door, closet and bell at the Town Hall, the 2015 JCAP grant is used up.

The 2016 JCAP Grant will be used for a new ramp outside the Town Hall. John Houser, Codes Officer, is working on getting quotes for this project.

Sale of Land by County: Supervisor Pollard received information from the County of Onondaga, Department of Law about some land for sale. The piece of land for sale measures .01+/- acre. It was stated at the meeting that this piece of land that is for sale was part of the old trolley right of way.

Discussion Agenda

Items from the Board

Supervisor Pollard stated that she is going to be on vacation at the July Workshop Meeting. She stated that the Board could meet without her or move it to July 21, 2016. No decision have been made at this time. The Board will see how much is going on at that time.

Reminder that the May 26, 2016 Workshop Meeting will be combined with the Planning/Zoning Board and the main discussion will be Solar Panels in the Town of Marcellus. Supervisor Pollard received an e-mail from a Dick Thompson who has Solar Panels. There is a good article in Town and Topics regarding Solar Panels.

Items from the Floor

Councilor Stevens made a motion seconded by Councilor Hunt to adjourn the Marcellus Town Board Workshop Meeting at 6:55 P.M.

Ayes – Pollard, Stevens, Hunt and O’Hara

Carried.

Respectfully submitted,

Sandy Taylor, Town Clerk



DASNY

ANDREW M. CUOMO
Governor

ALFONSO L. CARNEY, JR.
Chair

GERRARD P. BUSHELL
President

April 20, 2016

Ms. Karen Pollard
Highway Superintendent
Town of Marcellus
24 East Main Street
Marcellus, NY 13108

RECEIVED

APR 22 2016

MARCELLUS TOWN CLERK

*Re: State and Municipal Facilities Program ("SAM")
Addition to the Highway Garage
Project ID: #7545*

Dear Ms. Pollard:

As you know, the State has awarded Town of Marcellus a State and Municipal Facilities Program ("SAM") grant for the above-referenced project in the amount of \$50,000 (the "Grant"). DASNY will be administering this Grant.

Enclosed you will find the "**Project Information Sheet**" for your SAM Grant. Please complete the four (4) sections in the attached Project Information Sheet, as well as sign and date the Project Information Sheet certifying that the information you provided to DASNY is true and correct. Even if some of the information has been submitted to other parties previously, the enclosed Project Information Sheet and attachments must be provided to DASNY. Please mail the signed original as well as the backup documentation and information, as soon as possible, to:

DASNY
Attn: Grants Administration
515 Broadway
Albany, New York 12207

For your convenience, a sample return letter is attached to assist you when assembling the Package to return to DASNY.

Once DASNY receives the Project Information Sheet, a Grant Administrator may contact you to set up a conference call between DASNY and the Town of Marcellus to discuss the project and how we will proceed.

CORPORATE HEADQUARTERS
515 Broadway
Albany, NY 12207-2964

T 518-257-3000
F 518-257-3100

NEW YORK CITY OFFICE
One Penn Plaza, 52nd Floor
New York, NY 10119-0098

T 212-273-5000
F 212-273-5121

BUFFALO OFFICE
539 Franklin Street
Buffalo, NY 14202-1109

T 716-884-9780
F 716-884-9787

DORMITORY AUTHORITY STATE OF NEW YORK

**WE FINANCE, BUILD AND
DELIVER.**



DASNY

Page 2

In the meantime, please review the enclosed list of **Frequently Asked Questions**. This list was designed to answer many of the questions that you may have about the Grant process. **Please keep this document to use as a reference during the administration of the Grant.**

Should you have any questions concerning the enclosed documentation, please call (518) 257-3177 and someone from Grants Administration will contact you.

Very truly yours,

A handwritten signature in black ink, appearing to read "Sarah D. Antonacci".

Sarah D. Antonacci
Senior Grant Administrator

Enc.

cc (w/out enc.): Mr. Michael Paoli, NYS Senate Finance Committee
Sara Richards, Esq., DASNY

ENGINEER'S OPINION OF COSTS WORKSHEET



PROJECT TITLE:	Highway Garage Addition	ESTIMATED BY:	SPH
LOCATION:	Town of Marcellus, Onondaga County	CHECKED BY:	JED
CLIENT:	Town of Marcellus - Highway Department	TDK PROJECT NO:	2014022

Opinion of Probable Costs Highway Garage Addition

General Project Description: This cost worksheet pertains to the construction of a 50' x 60' x 20' (eave) high 3-bay garage addition to be constructed at the Town of Marcellus highway garage. It is intended to provide 2 general service vehicle bays and one wash bay. The building will be insulated and heated. Depending on the final design, it may either be directly connected to the existing garage structure or provided with a short stand off. Geotechnical conditions are known with bedrock at 30 inches and a new oil/water separator has already been installed to service the proposed facility.

ITEM NO	DESCRIPTION	QUANTITY	UNITS	COST PER UNIT	ESTIMATED AMOUNT
1	SITE PREPARATION (by Town Crews)		LS		
a	Demolition of existing structure				
b	Foundation Pad Preparation				
c	Erosion & Sediment Control				
2	BUILDING	3000	SF	\$ 40.00	\$ 120,000.00
a	50' x 60' floor plan with 18' eave height (timber frame)				
b	Standing Seam Metal Roof at 2:12 pitch				
c	Insulated Wall Panels				
d	12" Thick Slab on Grade				
e	3 - 16' x 14' Garage Doors				
f	2 Man Doors				
g	Mechanicals (heat / ventilation)				
5	MISCELLANEOUS (Future - by Town crews)	1	LS		
a	Electrical / lighting				
b	Plumbing				
SUBTOTAL - CONSTRUCTION COSTS					\$ 120,000.00
ENGINEERING FEES					\$ 15,000.00
<i>(Building Design Plans & Specifications, Construction Phase Assistance - Town and Contractor(s))</i>					
CONTINGENCY @ ~15%					\$ 12,000.00
TOTAL ESTIMATED COST					\$ 147,000.00

Notes:

Costs include the following:

- NYSDOL prevailing wage rates apply.
- Miscellaneous building interior building / utility finish by Town crews or local contractors.

**TOWN OF MARCELLUS
TOWN BOARD RESOLUTION**

May 9th, 2016

Upon motion of _____, seconded by _____,
the following motion was made:

WHEREAS, the Town of Marcellus wishes to authorize the construction of an addition to the Marcellus Highway Department garage,

WHEREAS, a document summarizing the features and costs of construction of the addition is attached hereto as **Exhibit "A"**; 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, requires that as early as possible an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, the Town of Marcellus Town Board determined this action to be an Unlisted Action; and

WHEREAS, the Town Board has completed and submitted a Short Form Environmental Assessment Form and the same has been carefully reviewed and thoroughly considered by the Board at a public meeting; and

WHEREAS, the Town Board has considered and discussed fully the potential environmental impacts of the proposed action; and

NOW, THEREFORE, it is

BE IT RESOLVED, that the Town of Marcellus Town Board hereby determines the proposed action will not have a significant adverse effect on the environment and this resolution

hereby adopts the Negative Declaration attached hereto for purposes of Article 8 of the Environmental Conservation Law, Volume 6 of the N.Y.C.R.R. Part 617 et seq. for the reasons contained herein and in the attached Negative Declaration; and

BE IT FURTHER RESOLVED, that the Town's legal counsel shall distribute and publish the attached Negative Declaration pursuant to the requirements of 6 N.Y.C.R.R., Part 617.

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

Karen Pollard	Supervisor	Voted	Aye/Nay
Chris Hunt	Councilman	Voted	Aye/Nay
Kevin O'Hara	Councilman	Voted	Aye/Nay
Laurie Stevens	Councilman	Voted	Aye/Nay
John Cusick	Councilman	Voted	Aye/Nay

Resolution duly adopted.

Dated: **May 9th, 2016**

**TOWN OF MARCELLUS
TOWN BOARD RESOLUTION**

May 9th, 2016

Upon motion of _____, seconded by _____,

the following motion was made:

WHEREAS, the Town of Marcellus wishes to authorize funds for the construction of an addition to the Marcellus Highway Department's garage; and

WHEREAS, a document summarizing the features and costs of construction of the addition is attached hereto as **Exhibit "A"**; and

WHEREAS, the sum of construction fees is estimated to be \$120,000.00; the sum of engineering fees is estimated to be \$15,000.00; and a contingency of \$12,000.00 is estimated, for a total estimated cost of \$147,000.00; and

WHEREAS, it is the intent of the Marcellus Town Board to authorize sufficient funds for the completion of the addition to the Marcellus Highway Department's garage.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, the Town Board hereby approves and authorizes the expenditure of up to \$147,000.00 for the construction of the Marcellus Highway Department's garage as described in Exhibit "A."

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

Karen Pollard	Supervisor	Voted	Aye/Nay
Chris Hunt	Councilman	Voted	Aye/Nay
Kevin O'Hara	Councilman	Voted	Aye/Nay
Laurie Stevens	Councilman	Voted	Aye/Nay
John Cusick	Councilman	Voted	Aye/Nay

Resolution duly adopted.

Dated: May 9th, 2016

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			
Town Board of the Town of Marcellus			
Name of Action or Project: Addition to the Town of Marcellus Highway Department Garage			
Project Location (describe, and attach a location map): 4264 Slate Hill Road, Marcellus, New York			
Brief Description of Proposed Action: The proposed action would add a 50' x 60' x 20' (cave) addition to the Town of Marcellus Highway Department garage. A more complete description of the project is attached hereto as Exhibit "A."			
Name of Applicant or Sponsor: Marcellus Town Board		Telephone: (315) 673-3269	
		E-Mail: clerk@marcellusny.com	
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 checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ <1 acres	
b. Total acreage to be physically disturbed?		_____ 0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ All 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 checked="" 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			

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	YES
	<input checked="" type="checkbox"/>	<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	YES
	<input checked="" type="checkbox"/>	<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	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: _____		Date: _____
Signature: _____		

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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<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"/>

	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.

This project is a 3000 square foot addition to the Town Highway Department's garage. The garage is to be located in a Business zoning district, which includes "public works garage or storage area" as a permissible use. It is a relatively minor addition to the Highway Department garage complex that will result in little increase in the intensity of the use of the land. It will not impair the quality of the existing community, as the building itself will be located near similar buildings and land uses, and the increased facilities for the Highway Department will help the Highway Department better maintain and service the public roads in the community. The garage will not result in an increase in traffic levels, as it will not be a use that attracts traffic besides the workers in the highway department. It is also not anticipated that the garage will result in a significant increase in energy use.

In sum, the proposed action is for the construction of a storage and utility facility that will not be accessible to the public and is located in an area with similar uses. For these reasons, we do not foresee a significant environmental impact as a result of the construction of the garage.

<input type="checkbox"/>	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.
<input checked="" type="checkbox"/>	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.
Marcellus Town Board	May 9th, 2016
_____ Name of Lead Agency	_____ Date
Karen Pollard	Supervisor, Town of Marcellus
_____ Print or Type Name of Responsible Officer in Lead Agency	_____ Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (if different from Responsible Officer)

PRINT

RESET

TOWN OF MARCELLUS
Electronics Recycling Quote

Submitted By: Regional Computer Recycling & Recovery

2016





3/31/2016

Mike,

We are pleased to submit the following proposal for eWASTE recycling from your collection event.

RCR&R QUALIFICATIONS:

Regional Computer Recycling & Recovery has a complete understanding of the scope of work and is committed to performing the work within the time periods established. We are the best choice to execute this contract because:

- RCR&R is the only New York based electronic recycler to be R2, RIOS and NAID Certified.
 - RESPONSIBLE RECYCLER CERTIFICATION R2 #C2011-01650
 - RIOS Certification # C2011-01649
 - NYS DEC Electronics Recycler Registered #00138
- RCR&R is NAID AAA Certified for Data Destruction
- RCR&R is a NYS LICENSED DATA DESTRUCTION CONTRACTOR #15810066000
(In New York State, data destruction is a licensed occupation.)
- RCR&R complies with all EPA guidelines for recycling and disposal of electronics.
 - EPA #NYR000169862**
 - NYCRR Part 364 Permit Number #8A-934**
- RCR&R operates a Victor, NY based, 18 acre electronic recycling complex with a large-scale (100,000-sq. ft.) facility with over 100 full time employees where electronics are sorted, consolidated and processed for re-use and/or material recovery. In addition, RCR&R operates consolidation facilities in Scotia, NY and Ossining, NY.

ACCEPTABLE EQUIPMENT:

All Covered Electronics (CEE) under the New York State Electronic Recycling and Reuse Act(PLEASE REFERENCE THE ACCEPTABLES ATTACHMENT)

PROPOSAL DETAILS:**CRT Televisions, CRT Monitors, DLP and Projection Televisions**

-.35 lb. Charge**

Non CRT electronics covered under the NYS Electronics Recycling & Reuse ACT

-All other CEE accepted at no charge

Logistics

-Packing supplies and drop trailer – No Charge

Reporting

-Certificates of Recycling and Inventory Summary detailing the weights and/or quantity of equipment types collected for each batch processed.

**A trailer load of electronics is going to be around 20,000 lbs. Using average % of incoming CRTs, there would be 14,000 lbs of chargeable equipment

Total estimated cost per trailer - \$4900

The Town is free to charge residents who wish to recycle CRT's, DLP & Projection units. The Town would be responsible for managing the collection system. RCR&R can assist with price setting guidelines. The Town may also exclude residents from bringing CRT's, however would still be responsible to cover the cost if they came in.

Sincerely,

Scott Pastorell
Client Services Operations Manager



Electronics Recycling Program

Acceptable Equipment



Answering Machines

Calculators

CD/DVD Players

Chargers

Circuit Boards

Computer Peripherals

Computers & Laptops

Printers

Digital Cameras

Fax Machines

GPS Units

InkJet Cartridges

Laser Toner Cartridges

Microwaves

Monitors

Network Equipment

Paper Shredders

Radios & Turntables

Routers

Scanners/ Printers

Servers

Speakers

Telecom Equipment

Televisions

Terminals

Uninterruptible Power Supply (UPS)

Video Game Systems

Wiring & Cabling

Items Not Accepted

Air Conditioners

Dehumidifiers

Smoke Detectors

Liquids & Powders

CFL's & Other Bulbs

Personal & Kitchen Appliances

Lawn & Garden Tools

For information on electronics recycling please visit



SAFETY-KLEEN VACUUM SERVICE ESTIMATE

TD29237

- CUSTOMER INFORMATION -

NAME AND ACCOUNT NUMBER TOWN OF MARCELLUS Hwy
 ADDRESS 4762 Slatehill Rd.
 CITY/STATE/ZIP MARCELLUS, NY 13108
 CONTACT NAME MIKE OSSIT PHONE NUMBER 673-3127
382-6496

David Andrews
 SAFETY-KLEEN REPRESENTATIVE
 315-455-1426
 BRANCH PHONE NUMBER
 315-952-3431
 ALTERNATE PHONE NUMBERS

RECTANGULAR TANKS				
96"	x	48"	x	34" %
LENGTH		WIDTH		LIQUID HEIGHT
				231 = <u>678</u>
				LIQUID TOTAL
96"	x	48"	x	4" %
LENGTH		WIDTH		SOLID HEIGHT
				231 = <u>80</u>
				SOLID TOTAL

CYLINDRICAL TANKS				
"	x	"	x	"
DIAMETER		DIAMETER		LIQUID HEIGHT
				.07854 % 231 =
				LIQUID TOTAL
"	x	"	x	"
DIAMETER		DIAMETER		SOLID HEIGHT
				.07854 % 231 =
				SOLID TOTAL

Total Gallon Liquid	<u>783</u>	
Total Gallon Solid	<u>80</u>	<i>3 pits 24x24x14 = 105 gals</i>
Total Gallons	<u>863</u>	
% Solids =	<u>9%</u>	(Solids divided by total gallons)

% SOLIDS	PART #	\$ PER GAL.	TOTAL GAL.	\$ TOTAL
1-10%	10971	<u>1.15</u>	<u>863</u>	<u>992.45</u>
11-20%	10972			
21-30%	10973			
31-40%	10974			
41-50%	10975			
51-60%	10976			
61-70%	10977			
70-80%	10978			
WASH WATER				
0-100 GAL	10921			
101+ GAL	10921			
WASTE WATER				
	10970			

	PART #	QTY.	\$ TOTAL
LIQUID/SOLID TOTAL \$			
FUEL SURCHARGE	100001		
SERVICE FEE / HOUR	10901	<u>2</u>	<u>250.00</u>
TRENCHING / FOOT	19011		
VAC PREQUAL	10912		
TRUCK WASH OUT FEE	10913		
SERVICE HELPER	10914		
AFTER HOURS FEE	10918		
WASH WATER <100 GAL	10921		NIC
WASH WATER >101 GAL	10921		
VAC SAMPLE	10923		
KLEEN DRAIN, (1-2)	10924		
KLEEN DRAIN, (3+)	10924		
WASTE WATER	10970		
ESTIMATE TOTAL			<u>1242.45</u>

IMPORTANT NOTE: This estimate may not be indicative of your final bill. Providing us with blueprints, diagrams, capacities and/or any other information about your system will reduce the difference between this estimate and your final bill. Since most separator systems qualify as confined spaces according to OSHA, and are limited as to the practices we may use to access those systems and therefore depend heavily upon the quality of information that you are able to provide. Accordingly, although the prices per gallon, prices per hour and the price per foot will remain firm for thirty days, the actual volume collected as well as the total price may differ.

SAFETY-KLEEN REPRESENTATIVE SIGNATURE

CUSTOMER'S SIGNATURE

Paragon
Environmental
Construction, Inc.

"Full Service Environmental/Construction Company"

March 30, 2016

Proposal # 16-0102

Town of Marcellus Highway Department
4262 Slate Hill Road
Marcellus, NY 13108

Attn: Mr. Don MacLachlan
Phone: 315-673-3127
Email: highway@marcellusny.com

RE: CLEAN FLOOR DRAINS & OIL WATER SEPARATOR – 4264 SLATE HILL ROAD, MARCELLUS NY:

Dear Mr. MacLachlan:

Paragon Environmental Construction, Inc. (PEC) is pleased to provide the following cost estimate to clean the floor bay drains and the oil/water separator (OWS) at the above-referenced location(s). Our Scope of Work and Fee Schedule is as follows:

SCOPE OF WORK:

- Mobilize to the site and remove sludge and liquid from the floor drains and OWS utilizing a vacuum truck and operator.
- PEC will not enter the OWS during cleaning. The floor drain and OWS will be rinsed after all sludge has been removed (power wash as needed) water to be provided onsite, place grates back into place after cleaning.
- Dispose of water and solid waste at an approved NYSDEC facility.
- Demobilize.

FEE SCHEDULE

<u>Description</u>	<u>Unit Cost</u>	<u>Total Amount</u>
Labor, Materials, and Equipment		\$ 2,100.00
Transportation to Disposal Facility		\$ 800.00
Non-Hazardous Waste Disposal – (Est. 4 Tons)	\$ 150.00/Ton	\$ 600.00
Waste Classification Sample – (Est. 1 sample)	\$ 575.00/Sample	\$ 575.00

TOTAL COST ESTIMATE: \$ 4,075.00

NOTE: Sample is valid for 2 years.

All above pricing based on profile approval as Non-Hazardous Waste.

Western Office
6250 Campbell Rd.
Lockport, NY 14094
716-625-8703

Corporate Office
5664 Mud Mill Rd.
Brewerton, NY 13029
315-699-0840 ■ Fax 315-699-0845

Eastern Office
2442 Edgewood Ave.
Schenectady, NY 12306
315-748-3197

Paragon
Environmental
Construction, Inc.

"Full Service Environmental/Construction Company"

Page 2

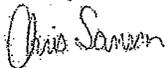
**RE: CLEAN FLOOR DRAINS & OIL WATER SEPARATOR – 4264 SLATE HILL ROAD,
MARCELLUS NY:**

TERMS:

- Payment Due Net 30 Days upon receipt of invoice.
- Prevailing wage rates have been applied to the above pricing.
- Invoicing is based on unit pricing.
- Free and easy access to work site and areas.
- Sales tax **is not included**. Please provide exempt certificate, if applicable.
- Offer valid for 30 days.
- Estimate does not include the encounter or handling of any contaminated materials such as soil, concrete, groundwater or any other work not associated with the items as described above. Additional items encountered, will be handled via change order, as directed by client.
- All private property utilities must be identified by the owner and marked or shut off prior to our arrival. Any work associated with the repair, replacement or relocation while working around such utilities will be the responsibility of the owner and is not included in the above.
- The conditions set forth herein shall constitute the entire agreement relating to services to be provided by PEC. Any amendment or modification shall not be binding unless in writing and executed by both parties. PEC shall assume no liability for any claims, losses, damages and other costs, whether actual or consequential, resulting from services provided by others.
- Account balances that remain unpaid beyond thirty days of the invoice date will be subject to interest charges at a rate of 1.5 % per month. In the event that it becomes necessary to commence action to collect payment of our invoices, the CLIENT agrees to pay any and all costs, including attorney fees, court expenses, or arbitration costs, associated with such action. Further, PEC reserves the right to discontinue services and withhold unpaid work product, at our sole discretion, at any time that our invoices are not paid within 30 days.

If you have any questions regarding this information, please contact me at 315-699-0840.

Sincerely,



Chris Sanson
Project Manager

Indemnification Statement:

Any condition which may currently exist, and/or cause to exist in the future which may result in pollution and/or other damage to any person or property of any nature, which was not in the scope of this project as outlined and detailed in the proposal, proposal amendments and/or billing(s), shall be and remain the sole liability of the customer, who shall indemnify, defend, and hold harmless Paragon Environmental Construction, Inc. (PEC), its owners, officers, assigns, representatives, and employees from any suit or remedy at law of any nature whatsoever.

Proposal Acceptance: _____ **Date:** _____



6392 Deere Road
Syracuse, NY 13206
Phone: 315-437-2065
Fax: 315-437-6973
www.nrcc.com

March 31, 2016

Proposal# S16-059

Don MacLachlan
Town Of Marcellus- Department Of Highways
4264 Slate Hill Rd.
Marcellus, NY 13108

Re: Oil Water Separator Cleaning and Disposal

Dear Mr. MacLachlan:

Pursuant to your request, National Response Corporation (NRC) is pleased to present this Proposal and Agreement to the Town of Marcellus for services related to the cleaning of the oil water separator and associated trench drains located in Marcellus, NY. The following shall serve to detail the proposed scope, assumptions, exclusions and estimated costs of the project based on the information provided by Town of Marcellus.

SCOPE OF SERVICES

Mobilization Activities

- Coordinate with Town of Marcellus and others for site access and logistics.
- Sample oil water separator and trench drains to complete a valid disposal profile at an approved disposal facility.
- Mobilize personnel as well as sufficient, equipment and materials to perform the scope of work as qualified below.

Task 1: Empty Oil Water Separator and Clean Trench Drains

- NRC will supply two environmental technicians, an equipment operator, power vacuum truck and supplies to pump out the oil water separator and associated trench drains.
- NRC will pressure wash the oil water separators internal surfaces from grade.
- Utilizing a power vacuum truck NRC will remove all liquids and solids from the associated trench drains.
- Interior surfaces of the trench drains will be pressure washed and all wash water will be collected on the power vacuum truck.
- NRC will fill the oil water separator with water to ensure proper operation if system requires it.
- All operations will be followed according to local, state, federal, and facility regulations.
- Material Safety Data Sheets (MSDS) will be supplied with any chemical imported on-site for cleaning operations.

EXCELLENCE IN ENVIRONMENTAL & EMERGENCY SOLUTIONS

Task 2: Waste Transportation and Disposal

- Waste will be transported via a non-haz waste manifest to a designated facility for disposal.
- Power vacuum truck will be emptied and all waste will be solidified for final disposal in a landfill.
- The power vacuum truck interior tanks surface will be rinsed out and cleaned to ensure a clean vessel for future operations.
- A signed copy of the non-hazardous waste manifest from the end disposal facility will be returned to the Town Of Marcellus for record keeping reasons.

ASSUMPTIONS/EXCLUSIONS

- Payment terms are net 30 days from the Customer's receipt of NRC's invoice subject to approved credit.
- NRC will have free and ready access to the work site and a staging area for the equipment and materials.
- Pricing is based upon the oil water separator unit being 1000 gallons in size.
- Pricing assumes waste is not hazardous. If proven hazardous additional disposal charges may apply to the Town Of Marcellus.
- This proposal excludes any mechanical means of removing any trench drain grates or covers.
- Customer agrees to provide water and any electrical needed for this project.
- This proposal excludes any confined space entry for cleaning interior surfaces or coalescers of the oil water separator unit.
- The customer and NRC agree to the attached General Terms and Conditions.
- The estimated project schedule is 1 day for one, three person crew.
- This proposal assumes that the project is not a capital improvement project for tax purposes.
- This pricing is based upon current Onondaga County prevailing wage rates and work being performed during first shift hours and the standard workweek.
- This proposal is valid for a period of thirty (30) days and subject to verification thereafter.

ESTIMATED COSTS

Based on NRC's understanding of the project and the information provided by The Town of Marcellus, NRC shall perform the above scope of work consistent with the cost estimate defined below:

Item #	Task Description	Quantity	Units	Unit Rate	Extended Costs
1	OWS Content Analyses	1	LS	\$550.00	\$550.00
2	Provide labor, equipment and materials to clean one 1,000 gallon oil water separator and associated trench drain.	1	LS	\$3,250.00	\$3,250.00
3	Transportation of OWS waste to Niagara Falls, NY	1	LS	\$1,200.00	\$1,200.00
4	Disposal	Est. 5	Tons	\$125.00	\$625.00**
Estimated Project Costs					\$5,625.00**

This proposal is exclusive of New York sales tax. Applicable sales tax will be applied to the final invoice should a valid, project specific tax exempt certificate not be provided to NRC.

****A 6.25% ESIC Fee will be added to final cost of invoice****

**** 5 ton minimum is calculated for waste disposal, if weight of waste exceeds 5 tons then the amount over 5 tons will be billed at the posted rate****

Thank you for the opportunity to submit this proposal. We look forward to discussing the project with you. I can be reached at 315-552-8088.

Sincerely,

Jim Cawthern
Business Development Manager

Microsoft Outlook Web App

Type here to search Entire Mailbox

Options Sign out

- Mail
 - Calendar
 - Contacts
 - Deleted Items (273)
 - Drafts [13]
 - Inbox (221)
 - Junk E-Mail [72]
 - Sent Items
- Click to view all folders
- Manage Folders...

Reply Reply All Forward X Junk Close

Fwd: OGS Rental Quote

Jay Barnwell [jbarnwell@traceyroad.com]

4/28/16 meeting

Sent: Wednesday, April 27, 2016 10:35 AM

To: Highway

Don here are the rental quotes you wanted.

Thanks
Jay

----- Forwarded message -----
 From: **Greg Hulslander** <ghulslander@traceyroad.com>
 Date: Tue, Apr 26, 2016 at 3:52 PM
 Subject: OGS Rental Quote
 To: Jay Barnwell <jbarnwell@traceyroad.com>

Highway Rental

2nd *X2*

SK210 with thumb - \$5200 per month
5000# hammer - \$1800 per week

SK170 with thumb - \$4500 per month
3000# hammer - \$1500 per week

Transportation \$325 each way

Subject to availability.

Greg Hulslander
 Tracey Road Equipment
 Rental Manager
 Office 315-437-1471 Ext. 1240
 Fax 315-437-0931
 Cell 315-374-0403

April 8, 2016

Marcellus Town Board
24 East Main Street
Marcellus, New York 13210

RECEIVED
APR 11 2016
MARCELLUS TOWN CLERK

Dear Ms. Pollard;

I am a resident of the Town of Marcellus, living on Frank Gay Road and would like the speed limit reduced from 45 to 35 miles per hour. Most traffic traveling on this road travel faster than the speed limit, making it difficult and unsafe for residents who want to run or walk along the highway and with the sharp drop offs along the side of the road with no guard rails, it makes it unsafe to travel and walk.

I called the county highway department in the town of Marcellus and was told that Frank Gay Road is a County Road, maintained by the county but plowed by the Town of Marcellus. They referred me to the engineering department for the county at 315-435-3205 and I talked to Glenn in the engineering department.

He explained the procedure for having the speed limit reduced:

1. The town board must approve my request.
2. The town board informs the county of the approval.
3. The county refers the request to the NYS highway department who then determines if the request is reasonable.

I am requesting that the town approve my request to improve the safety for drivers and residents on this road and forward my request to the county for review.

Thank you for your time.

Cordially yours


Ronald Olmstead

Recreation Agreements:

Concerts in the Park:

Marcellus Bluegrass Artists	June 30, 2016	\$400.00
Thunder Canyon	July 21, 2016	\$600.00
Tangled Roots	Aug. 4, 2016	\$600.00
Joe Whiting	Aug. 11, 2016	\$750.00