

MARCELLUS TOWN BOARD AGENDA
October 13, 2016

CALL TO ORDER

SALUTE TO FLAG

- I. Accept Town Clerk's minutes of previous meetings.
- II. Approve monthly activity
- III. Old Business
- IV. New Business
 - A. Tax Cap Override
 - B. Wash Bay at Highway Garage
 - C. Additional Budget Meeting

Discussion Agenda

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

Adjournment

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

Future Meeting Dates:

Budget Meeting – Monday, October 17, 2016 – 5:00 pm – Town Hall
Workshop Meeting – Thursday, October 27, 2016 – 5:30 – Town Hall
Planning/Zoning Meeting – Monday, November 7, 2016 – 7:00 – Town Hall
Town Board Meeting - Thursday, November 10, 2015 - 7:00 – Town Hall

**TOWN OF MARCELLUS
TOWN BOARD RESOLUTION**

_____, 2016

TOWN OF MARCELLUS LOCAL LAW NO. ___ OF THE YEAR 2016
("A Local Law Overriding the Tax Levy Limit Established
in General Municipal Law §3-C in the Town of Marcellus")

Councilor _____ introduced proposed Local Law No. ___ of the year 2016, relating to the ability of the Town of Marcellus to override the limit on the amount of real property taxes that may be levied by the Town of Marcellus pursuant to General Municipal Law § 3-c, and to allow the Town of Marcellus to adopt a Town budget for the fiscal year 2017 in excess of the "tax levy limit," and made the following motion, which was seconded by Councilor _____:

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, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Marcellus, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the adoption of said Local Law is an Unlisted action for purposes of environmental review under SEQRA; and

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

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

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

NOW, THEREFORE, it is

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

RESOLVED AND DETERMINED that the Town Board conduct a public hearing as to the enactment of proposed Local Law No. ___ of the year 2016 at the Marcellus Town Offices located at 24 East Main Street in said Town on _____, 2016 at 7:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

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

Chris Hunt	Councilor	Voted	Yes/No
Kevin O'Hara	Councilor	Voted	Yes/No
John Cusick	Councilor	Voted	Yes/No
Laurie Stevens	Councilor	Voted	Yes/No
Karen Pollard	Supervisor	Voted	Yes/No

The foregoing resolution was thereupon declared duly adopted.

DATED: _____, 2016

**TOWN OF MARCELLUS
PROPOSED LOCAL LAW NO. ___ OF THE YEAR 2016**

**A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL
MUNICIPAL LAW § 3-c IN THE TOWN OF MARCELLUS**

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

SECTION 1 LEGISLATIVE INTENT

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Marcellus pursuant to General Municipal Law § 3-c, and to allow the Town of Marcellus to adopt a budget for the fiscal year beginning January 1, 2017, and ending December 31, 2017, that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

SECTION 2 AUTHORITY

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the Marcellus Town Board to override the tax levy limit by the adoption of a local law approved by vote of at least 60% of the Marcellus Town Board.

SECTION 3 TAX LEVY LIMIT OVERRIDE

The Town Board of the Town of Marcellus, County of Onondaga, is hereby authorized to adopt a budget for the fiscal year 2017 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-c.

SECTION 4 SEVERABILITY

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

SECTION 5 EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: Proposed Local Law No. ___ of the Year 2016: A Local Law To Override the Tax Levy Limit Established in GML § 3-c			
Project Location (describe, and attach a location map): Town of Marcellus			
Brief Description of Proposed Action: Enactment of a Local Law to override the limit on the amount of real property taxes that may be levied by the Town of Marcellus, County of Onondaga, pursuant to General Municipal Law § 3-c, and to allow the Town of Marcellus to adopt a budget for the fiscal year 2017 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.			
Name of Applicant or Sponsor: Town of Marcellus Town Board		Telephone: 315-673-3269	
		E-Mail: supervisor@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 type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

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 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 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 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: <u>Town of Marcellus Town Board</u>		Date: _____
Signature: _____		Karen Pollard, Supervisor

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:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.

<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.
TOWN OF MARCELLUS TOWN BOARD	
_____	_____
Name of Lead Agency	Date
KAREN POLLARD	SUPERVISOR
_____	_____
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

**A Local Law Overriding the Tax Levy
Limit Established in GML § 3-c in the
Town of Marcellus**

*ATTACHMENT TO APPENDIX B
SHORT ENVIRONMENTAL ASSESSMENT FORM*

Part 1, Question 1

The intent of the proposed action is to enact a Local Law to override the limit on the amount of real property taxes that may be levied by the Town of Marcellus, County of Onondaga pursuant to General Municipal Law §3-c, and to allow the Town of Marcellus to adopt a Town budget that requires a real property tax levy in excess of the "tax levy limit" as defined by the General Municipal Law §3-c. This legislation deals exclusively with Town finances and tax collection. There will be no negative impact upon any environmental resources.

MAS Engineering

55 Ashley Street
Lyons, New York 14489

Phone 315 573 0765

maseng@rochester.ny.us

Fax 315 946 9552

Don MacLachlan
Superintendent of Highways
24 East Main Street
Marcellus NY 13108
highway@marcellusny.com

May 6, 2016

Re: new 3 bay addition to highway building.

Dear Mr. MacLachlan,

MAS Engineering proposes to provide structural drawings and specifications for bid and construction purposes for your proposed new addition for the town highway building.

The addition will be 50 feet wide by 60 feet long and 17' high with three overhead doors and two passdoors. The construction will be post frame with steel roofing and siding with interior liner panel. There will be a 6" concrete floor suitable for heavy trucks. An oil separator will be specified. Heating of the building will be with natural gas unit heaters. The building will be insulated.

Excluded from the design are the following:
Electrical and fire alarm systems design.
Bidding process and contracts.

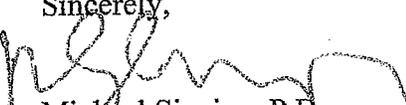
The cost for this service will be \$12,000.00.

Terms: \$2,000.00 at commencement of services.
Remainder on completion of drawing.
Drawings will be finished 4 weeks after receipt of down payment.
Six sets of sealed drawings and bid specifications will be provided.

Thank you for the opportunity to provide this quotation.

Please feel free to contact me if you have questions or need further info.

Sincerely,



Michael Sinniger P.E.