

TOWN OF MARCELLUS  
TOWN BOARD MEETING MINUTES  
August 14, 2006

A regular meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on August 14, 2006 at 7:00 P.M. in the Town Hall, 24 East Main Street, Marcellus, New York. Those present were:

Daniel J. Ross, Supervisor  
Bernard L. Montgomery, Councilor  
Thomas C. Lathrop, Councilor  
James A. Sheridan, Councilor  
Donald G. Sherman, Councilor

Also present: Karen R. Pollard, Town Clerk; Michael Cogswell, Counsel; Dick Clarke, Post Standard; Donald MacLachlan, Highway Superintendent; Chris Christensen, Member of ZBA and Planning Board, William Burnette, Marion Ossit, Anne Dingman, Bob Dingman, Bob Dorchester, Babette Yuhas, John Randall and Diana Bird.

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

Copies of the minutes of the Town Board Meeting held on July 10, 2006, Special Meeting held on July 17, 2006 and the Workshop Meeting held on July 27, 2006 was given to the Board Members. Councilor Lathrop made a motion seconded by Councilor Montgomery to approve the minutes as presented. All voted aye. Carried.

The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk, Abstract #41 as of August 10, 2006, Claims # 665 – 807 and Highway Claims # 125 –143.

	<u>Expenses</u>
General Fund	\$114,517.20
General Fund – Part Town	449.63
Highway – Town Wide	4,653.23
Highway – Part Town	64,204.68
Fire	25,985.84
Hydrant	21,547.49

Bills paid between meetings: NYSEG: Town Street lighting (clm 665) \$2351.70, 24 E Main St. (clm 666) \$295.68, 24 E Main St (clm 667) \$331.18 Check no. 19064; State Ins Fund (clm 668) \$126.18 Check no. 19065.

Board Members were given copies of the Activity Report as of July 31, 2006, monthly statement of bank balances as of July 31, 2006 and the following budget transfers:  
\$16,956.00 from Contingency (A1990.4) to Engineering New Bldg (A1440.42)  
\$1,200.00 from Dog Enumeration (A3510.11) to Engineering New Bldg (A1440.42)  
\$2,000.00 from Engineering for GASB 34 (1440.41) to Engineering New Bldg (A1440.42)  
\$4,000.00 from Code Codification (A1410.41) to Engineering New Bldg (A1440.42)  
\$300.00 from Consultant/resource (1315.41) to Engineering New Bldg (A1440.42)

	<u>Total Revenue</u>	<u>Total Expense</u>
General Fund	\$100,333.75	\$121,390.78
General Fund – Part Town	3,846.85	7,175.77
Highway – Town Wide	-0-	4,605.60
Highway – Part Town	1,470.00	52,618.35
Fire	1,132.11	25,138.78

Councilor Lathrop made a motion seconded by Councilor Sherman to approve and pay the bills, approve the monthly activity report as of July 31, 2006, the monthly statement of bank balances as of July 31, 2006 and the following budget transfers:

\$16,956.00 from Contingency (A1990.4) to Engineering New Bldg (A1440.42)

\$1,200.00 from Dog Enumeration (A3510.11) to Engineering New Bldg (A1440.42)

\$2,000.00 from Engineering for GASB 34 (1440.41) to Engineering New Bldg (A1440.42)

\$4,000.00 from Code Codification (A1410.41) to Engineering New Bldg (A1440.42)

\$300.00 from Consultant/resource (1315.41) to Engineering New Bldg (A1440.42)

All voted aye.

Carried.

### OLD BUSINESS:

Report from Department Liaisons: Councilor Montgomery reported to the Board that the State Comptrollers Office has granted permission for the Town of Spafford to establish Southern Onondaga Area Water District. The next step is to formally create a water district for the portion that lies within the Town of Marcellus. The Town Clerk was instructed to change the August 24<sup>th</sup> Workshop Meeting to a Special Meeting for the purpose of creating the Marcellus portion of Southern Onondaga Area Water District.

Councilor Montgomery reported to the Board on the meeting that took place on August 11<sup>th</sup> concerning the proposed Limeledge Water District financing. The meeting comprised of James Dwyer, Marcellus Village Attorney, Mike Plochocki, Mayor of the Village of Marcellus, Bridgett Winkleman, Town of Skaneateles, Scott Mueller, RCAP Solutions, Terry Duell and Fred Testa from Environmental Facilities Corporation (EFC) Michelle Burt and Nick Pinto from Barton & Loguidice, Michael C. Cogswell, Marcellus Town Attorney and Marcellus Councilors Lathrop and Montgomery. The EFC and the DOH have deemed this project eligible for interest free financing for a term of twenty (20) years. A 30-year term is necessary for this project. Additional information was provided and hopefully within two to three weeks we will be notified weather this project is eligible for 30-year term.

Town Hall Building Update: Supervisor Ross reported that the Town and the Library Boards have decided to proceed on separate but parallel paths with the building projects. We are currently getting cost estimates from our architects on two scenarios, one being a separate building on the property at 22 E. Main and the other for an addition on the west and south side of the current Town Hall. A citizens advisory committee will be set up once this information is available.

Coordinated Assessment Program – Marcellus and Elbridge: Supervisor Ross reminded the Board that in order to keep our revaluation on target for 2007, the Coordinated Assessment Program between Marcellus and Elbridge must be terminated. The program was designed for both towns to conduct a revaluation for the same year. The Town of

Elbridge has decided to do a revaluation the year 2008. Resolution # 024-06 is as follows:

RESOLUTION #024-06

At a regular meeting of the Town Board of the Town of Marcellus, held at the Town Hall, 24 E. Main Street in the Town of Marcellus, County of Onondaga and State of New York, August 14, 2006.

PRESENT:	Daniel J. Ross	Supervisor
	James A. Sheridan	Councilor
	Donald G. Sherman	Councilor
	Bernard L. Montgomery	Councilor
	Thomas C. Lathrop	Councilor

WHEREAS, Local Law No 1, of 1996 authorized the participation of the Town of Marcellus in a coordinated assessment program with the Town of Elbridge, and

WHEREAS, the Towns of Marcellus and Elbridge of Onondaga County, were empowered to enter into a municipal cooperative agreement to appoint one assessor to hold office in the Town of Marcellus and the Town of Elbridge pursuant to section 576 and 579 of the Real Property Tax law and Article 5-G of the General Municipal Law; and

WHEREAS, the intention of the parties was to create a coordinated assessment program pursuant to section 579 of the Real Property Tax Law, whereby one assessor would provide assessment services for all towns in the coordinated assessment program and the assessor will assess all property in the program at a uniform percentage of full value, and

WHEREAS, the Town of Elbridge does not desire to participate in any townwide assessment for the year 2007 as elected by the Town of Marcellus the Town of Marcellus must terminate the Coordinated Assessment Program as required by the Real Property Tax Law of the State of New York,

Upon motion of Councilor Sheridan seconded by Councilor Lathrop,

BE IT RESOLVED, that the Coordinated Assessment Program between the Town of Marcellus and the Town of Elbridge pursuant to Local Law No.1, of 1996 is hereby terminated, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the Office of Real Property Services prior to December 1, 2006.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

VOTING:	Daniel J. Ross	Aye	
	James A. Sheridan	Aye	
	Donald G. Sherman	Aye	
	Bernard L. Montgomery	Aye	
	Thomas C. Lathrop	Aye	Motion Carried.

Memorandum of Understanding – Reassessment for 2007: A Memorandum of Understanding was received from the Office of Real Property Services clarifying and outlining the roles and responsibilities of the Town and Office of Real Property Services in the reassessment process. Councilor Sherman made a motion seconded by Councilor Sheridan to authorize Supervisor Ross to enter into an agreement, a Memorandum of Understanding, with NYS Office of Real Property Service for the up coming revaluation. All voted aye. Carried.

Village Cemetery: Councilor Sheridan made Resolution #027-06 seconded by Councilor Lathrop for the acceptance of the Marcellus Village Cemetery contingent upon the approval of the deed(s) by Counsel.  
Resolution #27-06 is as follows:

#027-06  
RESOLUTION

At a regular meeting of the Town Board of the Town of Marcellus, held at the Town Hall, 24 E. Main Street in the Town of Marcellus, County of Onondaga and State of New York, August 14, 2006.

PRESENT:	Daniel J. Ross	Supervisor
	James A. Sheridan	Councilor
	Donald G. Sherman	Councilor
	Bernard L. Montgomery	Councilor
	Thomas C. Lathrop	Councilor

WHEREAS, the cemetery commonly known as the Marcellus Village Cemetery is located in the Town of Marcellus; and

WHEREAS, the parcel of land whereon the Marcellus Village Cemetery is located has been maintained for decades through a Permanent Cemetery Fund with the Session of the First Presbyterian Church as acting Custodian; and

WHEREAS, the Permanent Cemetery Fund is on longer sufficient to maintain the cemetery; and

WHEREAS, a coalition of the interested community members and the First Presbyterian Church, as custodian of the Permanent Cemetery Fund, have requested that the Town, accept the cemetery premises and any remaining assts of the Permanent Cemetery Fund pursuant to section 291 of the Town Law; it is hereby

RESOLVED, that the Town of Marcellus accept the cemetery premises and any remaining assets of the Permanent Cemetery Fund, such acceptance to be subject to all agreements as to lots sold and all trust restrictions and conditions upon the title or use of the real property or assets; and it is further

RESOLVED, that the Town of Marcellus accept by quitclaim deed the conveyance of any potential interests in the cemetery property.

AYES: 5  
NAYES: 0

Resolution Carried.

Planning Board Vacancy (additional item): Supervisor Ross brought to the attention of the Board that two resumes have been received for the vacancy on the Planning Board. The Board indicated that they would like to interview the candidates before making a decision. Supervisor Ross will schedule a meeting for that purpose.

NEW BUSINESS:

Employee Health Insurance: The Board has been exploring different plans for employee health insurance due to the high cost of the present plan. These plans have been discussed at Workshop meetings and it is now time to meet with the employees to share the information. A meeting will be scheduled after August 24<sup>th</sup>.

Fire Department – Acknowledge lease/purchase agreement: Councilor Montgomery advised the Board that the Marcellus Fire Department held a public hearing on August 9<sup>th</sup> to allow them to enter into a lease agreement to finance the purchase of a 2003 E-One 75' Aerial Demo an amount not to exceed \$428,000.00. The Department is also selling the 1983 Pierce Arrow for \$82,000.00 to help defray the cost. They now need authorization from the Town to enter into that lease agreement. Councilor Montgomery commended the Department on their efforts in securing the truck at a good price. Councilor Montgomery made a motion seconded by Councilor Sheridan to authorize the Supervisor to acknowledge the entering into by Marcellus Fire Department of a lease agreement not to exceed \$428,000.00 for a 2003 E-One Aerial Demo. All voted aye. Carried.

Set Trash Days for Fall: Councilor Sheridan made a motion seconded by Councilor Lathrop to hold the fall Trash Days on Fridays, September 29 and October 6 from noon to 3:00pm and Saturdays, September 30 and October 7 from 8:00am to noon. All voted aye. Carried.

Syracuse Time and Alarm Agreement: Councilor Sheridan made a motion seconded by Councilor Montgomery to renew the maintenance contract with Syracuse Time & Alarm, Inc. in the amount of \$415.00 for a period from 9/01/2006 to 8/31/2007 for the fire alarm system in the Town Hall. All voted aye. Carried.

Authorize Map, Plan and Report for Slate Hill District Extension #3: A proposal was received from Barton & Loguidice for engineering costs for a Map, Plan and Report for Slate Hill Road Water District, Extension No. 3 in the amount of \$2900.00. This cost would be shared by the three properties who will benefit from this extension. These properties are Cararetta property (Pleasant Valley Road), Gooden property (Rockwell Road) and Scanlon property (Rockwell Road). Councilor Lathrop made Resolution #026-06 seconded by Councilor Sherman. This resolution is subject to permissive referendum. Resolution #026-06 is as follows:

#026-06  
RESOLUTION

At a regular meeting of the Town Board of the Town of Marcellus, held at the Town Hall, 24 E. Main Street in the Town of Marcellus, County of Onondaga and State of New York, August 14, 2006.

PRESENT: Daniel J. Ross Supervisor

James A. Sheridan	Councilor
Donald G. Sherman	Councilor
Bernard L. Montgomery	Councilor
Thomas C. Lathrop	Councilor

WHEREAS, this Board, on behalf of the Slate Hill Water District is considering the extension of said water district within the Town of Marcellus, and

WHEREAS, the Board must obtain a Map, Plan and Report, as provided in the Town Law of the State of New York, prior to said extension, and

WHEREAS, the Town of Marcellus has agreed to authorize the engineering firm of Barton & Loguidice, P.C. to prepare said map, plan and report,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Marcellus, Onondaga County, New York authorizes the Supervisor of the Town of Marcellus to enter into an agreement with the engineering firm of Barton & Loguidice, for the preparation of a Map, Plan and Report for the Slate Hill Water District Extension No. 3.

Said motion made by Councilor Lathrop and seconded by Councilor Sherman.

AYES: 5

NAYES: 0

Carried.

THIS RESOLUTION IS SUBJECT TO PERMISSIVE REFERUNDUM

August 14, 2006

Authorize Map, Plan and Report for Platt Road Hydrant District: Tabled

Establish escrow account for Platt Road Hydrant District: Tabled

Resolution for Authorization for Supervisor to Sign Playground Grant Document:

Supervisor Ross informed the Board that the Friends of the Park have received a grant from the Office of Parks, Recreation and Historic Preservation. This grant will be used for mulch to complete the Marcellus Park playground. The Town is required to pass a resolution to authorize the Supervisor to sign legal documents on behalf of the Town in order for the Friends to receive the grant. Councilor Sherman made Resolution #025-06 seconded by Councilor Lathrop to authorize Supervisor Ross to sign the documents for the grant. All voted aye. Carried.

MS4 Stormwater Education Survey (additional item): Supervisor Ross brought to the Board's attention a letter that was received from CNY RPDB concerning MS4 Stormwater Education Survey. They have provided list of residential properties and a survey that needs to be sent in order to comply with the education and outreach requirements of the Stormwater MS4 General Permit. Mr. Ross explained that this is our responsibility and it the mailing will be at out expense. These expenses will count toward our share of the required local match contribution to the 2003 EPF grant. Councilor Montgomery made a motion seconded by Councilor Sheridan to authorize the printing, copying and mailing of the MS4 survey to approximately 300 town residents. All voted aye. Carried.

ITEMS FROM THE BOARD:

Councilor Sherman advised the Board that he has recently met with representatives from Windstream, the new owners of Alltel, to discuss the Town's phone bills. Mr. Sherman will follow up.

Councilor Montgomery questioned the status of Aquinnah Heights subdivision in relation to punch list of items, including the sidewalks, which need to be completed by the developer. After a discussion, Councilor Montgomery made a motion seconded by Councilor Sheridan to direct the developer of Aquinnah Heights to submit to the Codes Officer a punch list of items that need to be completed, accompanied with a schedule of completion dates. This needs to be submitted to the Codes Officer by September 1<sup>st</sup>; if these conditions are not met the issuing of permits will be held up. All voted aye.

Carried.

ITEMS FROM THE FLOOR:

Bob Dingman thanked the Board for setting up an advisory committee for the Town Hall project.

Chris Christensen, Member of ZBA and Planning Board, reminded the Board that another subdivision is being planned and perhaps the sidewalks should be done early in the development stage. Also, the Abounding Way, a new road should be completed in a month or so.

Gerry Ferro questioned the role of the advisory committee in relation to the Town Hall project. Supervisor Ross advised Mr. Ferro that the project would be Board driven and the committee would provide comments and advice.

Councilor Montgomery made a motion seconded by Councilor Sheridan to adjourn the meeting at 8:33 P.M. All voted aye. Carried.

Respectfully submitted,

Karen R. Pollard, Town Clerk