

TOWN OF MARCELLUS
TOWN BOARD MEETING MINUTES
December 11, 2006

A regular meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on December 11, 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; Margaret Gerbsch, Accountant; Michael Cogswell, Counsel; Dick Clarke, Post Standard; Donald MacLachlan, Highway Superintendent; William Reagan, Code Enforcement Officer; Phil Coccia, Recreation Leader; James Rhinehart, Onondaga County Legislator; William Burnette, Mary Raye Casper, Ellis Guiles, Peg Nolan, Betsy Shake, James Gonzalez, Garth Kmiecjak, Chris Kaler, Brian Kaler, Chris Kraai, Peter Kraai, Doug Nightingale, Brian Six, Brian Parker and Jack Scalice.

Supervisor Ross requested a motion to adjourn the Special Meeting of November 30, 2006 that stands in recess. Councilor Montgomery made a motion seconded by Councilor Sherman to adjourn the Special Meeting of November 30, 2006. All voted aye. Carried.

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 November 9, 2006 and the Special Meeting held on November 30, 2006 was given to the Board Members. Councilor Sherman made a motion seconded by Councilor Sheridan 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 #56 as of December 8, 2006, Claims #1146 – 1237 and Highway Claims #210 – 228.

	<u>Expenses</u>
General Fund	\$80,093.92
General Fund – Part Town	8,426.26
Highway – Town Wide	16,351.82
Highway – Part Town	7,264.66
Fire	96,750.26
Sewer	20.92
Trust & Agency	129.06

Bills paid between meetings: NYSE&G: Platt Road (clm 1137) \$47.59, Platt Road RD 2 (clm 1138) \$45.71, Platt Road (clm 1139) \$124.81, Platt Road (clm 1140) \$66.34 Check no. 19440: Park Street Lighting (clm 1141) \$11.25, 24 E. Main Street (clm 1142) \$257.18, 24 E. Main Street (clm 1143) \$320.01 Check no. 19441: Marcellus Postmaster

(clm 1144) \$1050.00 Check no. 19439: State Insurance Fund (clm 1145) \$348.68 Check no. 19442.

Board Members were given copies of the Activity Report as of November 30, 2006, monthly statement of bank balances as of November 30, 2006 and the following budget adjustments:

\$949.10 from Town clek/equip (A1410.2) to Town clerk/cont (A1410.4)
 \$2867.00 from Contingency (A1990.4) to Engineering/cont (A1440.4)
 \$8740.00 from Park Pavilion/equip (A7110.21) to Building/cont (A1620.4)
 \$500.00 from Consultant/cont (A1315.41) to Central Printing & Mail (A1670.4)
 \$43.40 from Consultant/cont (A1315.41) to Central Comm/cont (A1650.4)
 \$15.00 from Park/per ser (A7110.1) to Park Rec/per serv (A7110.13)
 \$2862.00 from Adult Rec/per serv (A7620.1) to Park/equip (A7110.2)
 \$2784.60 from Adult Rec/cont (A7620.4) to Park Rec/cont (A7110.42)
 \$894.24 from Medicare Reimb (A9089.8) to NYS Retirement (A9010.8)
 \$938.33 from Unemployment Ins (A9050.8) to NYS Retirement (A9010.8)
 \$15.63 from Disb Ins (A9055.8) to NYS Retirement (A9010.8)
 \$431.40 from Contingency (B1990.4) to NYS Retirement (B9010.8)
 \$5000.00 from Machinery/equip (DA5130.2) to Machinery/cont (DA5130.4)
 \$400.00 from Hosp & Med Ins (DA9060.8) to NYS Retirement (DA9010.8)
 \$400.00 from Hosp & Med Ins (DB9060.8) to NYS Retirement (DB9010.8)
 \$100.00 from Portable Radios & service (SF3410.22) to Radio lease (SF3410.23)
 \$269.55 from Loose equip (SF3410.27) to Rescue tool equip repair (SF3410.42)
 \$142.12 from Maint equip repair (SF3410.44) to Chiefs cars repairs (SF3410.482)
 \$844.97 from admin exp (SF3499.41) to Xerox lease (SF3410.484)
 \$418.56 from loose equip (SF3410.27) to Purchase/lease vehicle (SF3410.493)
 \$1300.00 from Outside maint (SF3499.463) to Gas purchases (SF3499.45)
 \$159.70 from Outside maint (SF3499.463) to Misc expense (SF3499.49)

	<u>Total Revenue</u>	<u>Total Expense</u>
General Fund	\$8,542.59	\$72,162.99
General Fund – Part Town	660.00	7,105.64
Highway – Town Wide	-0-	46,375.98
Highway – Part Town	-0-	6,694.93
Fire	639.49	16,987.42

Councilor Lathrop made a motion seconded by Councilor Sherman to approve and pay the bills, approve the monthly activity report as of November 30, 2006, the monthly statement of bank balances as of November 30, 2006 and the following budget adjustments:

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\$159.70 from Outside maint (SF3499.463) to Misc expense (SF3499.49)
All voted aye.

Carried.

OLD BUSINESS:

Report form Department Liaisons: Councilor Sheridan reported that the legal process is moving along for the Town of Marcellus to acquire control of the North Street Cemetery.

Resolution of Support: Marcellus Historical Society: Resolution #042-06 as follows:

#042-06

CONESNSUS MOTION AND APPROVAL

At a meeting of the Town Board of the Town of Marcellus, in the County of Onondaga, State of New York, on the 11th day of December, 2006:

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

Supervisor Ross presented the following resolution and move that it be adopted.

WHEREAS, Lewis T. Steadman and Alma B. Steadman, both of 73 Warrington Court, Lake Bluff, Illinois 60064, are the owners of a certain historical house located at 18 North Street, Marcellus New York 13108.

WHEREAS, Lewis T. Steadman and Alma B. Steadman have expressed an interest in gifting their property at 18 North Street, Marcellus, New York, to the Marcellus Historical Society.

WHEREAS, it is the mandate of the Marcellus Historical Society, incorporated by action of the Board of Regents of the State of New York by provisional charter dated March 31, 1967, and amended and extended on March 27, 1992, to preserve the artifacts, history and ancient records of the Town of Marcellus.

WHEREAS, the Marcellus Historical Society does not have adequate space to preserve certain collections and display said artifacts and historical documents and carry out their mandates,

NOW, THEREFORE, BE IT RESOLVED by this Town Board of Marcellus as follows:

The Town Board of the Town of Marcellus encourages the Marcellus Historical Society to accept said gift of Lewis T. Steadman and Alma B. Steadman and will cooperate with said Marcellus Historical Society in this effort and their further efforts.

The motion having been duly seconded by Councilor Lathrop it was adopted and the following votes were cast:

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

Resolution Carried.

NEW BUSINESS:

Leash Law Request in Browsing Lane Area: Petitions were presented to the Town Board by a group of residents from the Browsing Lane/Deer Path neighborhood requesting that the Town implement a leash law for that area. Counsel Cogswell advised the residents that if this law is enacted it will effect all dogs and will live past any current problem dog or dogs in the specific area. Councilor Sheridan made a motion seconded by Councilor Lathrop to accept the petition as presented by the residents of the Browsing Lane/Deer Path neighborhood requesting a leash law for that area. All voted aye. Carried.

Riverfront Contract: Councilor Sheridan made a motion seconded by Councilor Lathrop to authorize Supervisor Ross to enter into an agreement with Riverfront Medical Services to assist the Town of Marcellus to be in compliance with the Drug and Alcohol Compliance Program for the year 2007. All voted aye. Carried.

Set Organizational Meeting for 2007: Councilor Sheridan made a motion seconded by Councilor Montgomery to hold the 2007 Organizational Meeting on Thursday, December 28, 2006 at 7:00 pm at the Marcellus Town Hall. All voted aye. Carried.

Schedule December 2006 Workshop Meeting: Councilor Montgomery made a motion seconded by Councilor Sherman to hold the December Workshop Meeting for on Thursday, December 28, 2006 at 7:00 pm at the Marcellus Town Hall. All voted aye. Carried.

Highway Construction Specification and Ordinance: Barton & Loguidice presented a proposal for engineering services to update the Highway Construction Specification and Ordinance in the amount of \$4,500.00. The current regulation was adopted on March 10, 1986. Councilor Montgomery made a motion seconded by Councilor Sherman to authorize the Supervisor to enter into an agreement with Barton & Loguidice for engineering services to update the Highway Construction Specification and Ordinance in the amount of \$4,500.00 to be expended from the 2007 Budget. All voted aye. Carried.

Renewal of Commercial Policy for Marcellus Fire Department: The Reagan Agency provided a quote for insurance coverage on the Marcellus firehouse from Selective Insurance in the amount of \$4,281.14. Councilor Montgomery made a motion seconded by Councilor Sherman to approve the quote for insurance coverage on the Marcellus firehouse in the amount of \$4,281.14 from Selective Insurance for the period of January 1, 2007 to January 1, 2008. All voted aye. Carried.

P&A Administrators – Contract Approval: P&A Group submitted an administration proposal for a flexible spending account plan for Town employees. The Town would contribute \$300. for each eligible employee. Councilor Sherman made a motion

seconded by Councilor Sheridan to have the P&A Group administer a flexible spending plan for eligible Town employees with the Town contributing \$300 per eligible employee. All voted aye. Carried

Sage Meadows Subdivision – Petition for Water District Extension: A Map, Plan and Report was submitted to the Town Board as prepared by TDK Engineering on behalf of Pigliavento Builders. The Sage Meadows is an approved subdivision that will be located off West Seneca Turnpike. The Map, Plan and Report is for an extension the Seneca Turnpike Water District into the planned subdivision. Councilor Sheridan made a motion seconded by Councilor Sherman to accept the Map, Plan and Report for the extension of the Seneca Turnpike Water District into the planned Sage Meadows subdivision contingent upon approval by Counsel and tentatively hold a public hearing for the January 8, 2007 Town Board meeting. All voted aye. Carried.

2007 Pavilion Rental: Tabled to the December 28th meeting.

Limeledge Water District Application for Comptroller:

#043-06

RESOLUTION OF THE TOWN OF MARCELLUS TOWN BOARD

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 on December 11, 2006

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

WHEREAS, this Board, on October 12, 2006, by resolution approved the Petitions submitted under Section 190 of the Town Law of the State of New York for the establishment of the Limeledge (Marcellus) Water District; and

WHEREAS, said resolution held that it was in the public interest to grant the whole relief sought by said Petition, and that all property, property owners and interested persons within said proposed district would benefit thereby and that all property or property owners benefited where included therein and that no property or property owners or interested persons benefited thereby had been excluded therefore; and

WHEREAS, as the annual cost for single family residents, including the unit charge and water use charge would be in the amount of \$724.00 which exceeds the cost threshold of \$575.00 for a typical residential property, establishing the requirement for permission from the State Comptroller prior to formation of said district; and

WHEREAS, at this Board's direction, Michael C. Cogswell, Esq. as attorney for the Town of Marcellus has prepared an application for approval from the State Comptroller as required under Article XII, Section 194 of the Town Law; and

WHEREAS, this Board has reviewed said application upon advice of counsel, this Board hereby

RESOLVES that the attached application titled “In the Matter of the Application of the Town Board of the Town of Marcellus for Permission of the State Comptroller for establishment of the Limeledge (Marcellus) Water District in the Town of Marcellus, County of Onondaga and State of New York pursuant to Article XII of the Town Law of the State of New York was prepared at the direction of the Town Board; and be it further

RESOLVED that the Town Board believes the contents of the application to be accurate; and be it further

RESOVLED that the Board has determined that the improvement district for which permission is sought is in the public interest and will not constitute and undue burden on the property which will bear the cost thereof; and be it further

RESOLVED that if the cost of the proposed agreement is to be assessed in whole or in part against a benefited area, that all real property to be so assessed will be benefited by the proposed improvement and that no benefit has been excluded.

Said motion made by Councilman Montgomery and seconded by Councilman Sheridan.

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

Usherwood Service Contract (January 07 – January 08) for Upstairs Copier- \$994.00 and Downstairs Copier \$559.00: Councilor Lathrop made a motion seconded by Councilor Sheridan not to renew the service contracts for the copiers located in the Town Hall and establish an equipment and repair reserve fund in the amount of the contracts. All voted aye. Carried.

NYS Retirement – Electronic Reporting: Margaret Gerbsch, Accountant, brought to the Board’s attention that the New York State Retirement will not accept manual monthly reports from employers after April 2007 . The monthly reports will be able to be done via diskettes or over the Internet. The Accountant has the capability to do the reporting via the Internet. Councilor Lathrop made a motion seconded by Councilor Montgomery to approve that the New York State Retirement’s monthly reports be done electronically via the Internet. All voted aye. Carried.

Agreement: Ferris Mower for North Street Cemetery: Councilor Sheridan made a motion seconded by Councilor Lathrop to authorize the Supervisor to sign an agreement with the First Presbyterian Church, Trustee, Robert Cramer, Clerk of Session for the receipt of funds in the amount of \$5,540.00 from Cemetery Funds for the purchase a heavy duty Ferris mower/tractor. This mower will be purchased according to State Contract and will be used in the North Street Cemetery. All voted aye. Carried.

Asbestos Abatement Report-Geomatrix (additional item): Supervisor Ross informed the Board that Geomatrix has submitted a report on their finding of the air quality during the asbestos abatement project that was completed on 22 East Main Street. Paragon Environmental Construction did the actual asbestos removal. Councilor Sherman made a motion seconded by Councilor Montgomery to accept the Asbestos Abatement Report as submitted by Geomatrix. All voted aye. Carried.

Amtek Restructuring: Amtek Management Services has sold off the public sector portion of the company. Ronni Travers, who was in charge of this area with Amtek, has created a new company called Public Sector HR Consultants. A proposal was received from Public Sector HR Consultants to provide Wage and Salary Administration Program for Town employees in the amount of \$4,000. Public Sector HR would also provide similar services to the Town as Amtek did for \$780. per quarter. Councilor Sheridan made a motion seconded by Councilor Sherman to authorize the Supervisor to enter into an agreement with Public Sector HR Consultants to do a wage and salary survey for \$4,000 and provide human resource management in the amount of \$780 per quarter and. All voted aye. Carried.

Grinding Woodwaste (additional item): Donald MacLachlan, Highway Superintendent, presented a quote from Sensenig Mulch & Topsoil for grinding the woodwaste pile at \$400. per hour with a maximum grinding time of ten hours. Councilor Lathrop made a motion seconded Councilor Montgomery to accept the quote from Sensenig Mulch & Topsoil at \$400. per hour, maximum grinding time of ten hours, for grinding of the woodwaste pile. All voted aye. Carried.

NYSE&G Permission to Work in Right Away (additional item): NYSE&G is seeking permission from the Town to work in the right away on Sevier Road to install a new gas service to 3096 Sevier Road. Councilor Sheridan made a motion seconded by Councilor Lathrop to grant permission to NYSE&G to work in the right away on Sevier Road to install a new gas service to 3096 Sevier Road. All voted aye. Carried.

ITEMS FROM THE BOARD:

Councilor Lathrop brought up to the Board a potential problem with the Loan Closet. The community would at a loss if the Load Closet folded. Mr. Lathrop wants to discuss this further with the Board to see if there is a solution.

ITEMS FROM THE FLOOR:

Ellis Guiles, 4241 Browsing Lane, thanked the Board for submitting the application to the State Comptroller's Office for the proposed Limeledge Water District. Mr. Guiles questioned if the Town has considered getting proposals from other engineering firms for Limeledge Water project. Counsel Cogswell advised the Board against any changes at this point in the project.

Peg Nolan, President of the Marcellus Historical Society, thanked the Town Board on behalf of the Marcellus Historical Society for their support in accepting the gift of 18 North Street.

James Rhinehart, Onondaga County Legislator, expressed his gratitude to the Marcellus Town Board for taking the lead on the Limeledge Water District and to Counsel Cogswell for all his efforts on this project.

Councilor Montgomery made a motion seconded by Councilor Lathrop to adjourn the meeting at 8:04 P.M. All voted aye. Carried.

Respectfully submitted,

Karen R. Pollard, Town Clerk