## SPECIAL MEETING OF THE VILLAGE OF MARCELLUS HELD AT THE VILLAGE HALL ON OCTOBER 27, 2014

PRESENT: John P. Curtin, Mayor Patrick W. Cox , Trustee Sara N. Tallman, Trustee See List

## ABSENT: Attorney Brown

Mayor Curtin asked for a motion to open the public hearing. The motion was made Trustee Cox, seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on opening the hearing. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the public hearing was opened at 7:00 p.m.

Village Clerk Dawn O'Hara read the legal notice of the public hearing to those in attendance.

Mayor Curtin explained that the purpose of the hearing was to permit all interested parties the opportunity to be heard regarding Local Law #4, which will allow the Village Board to add a surcharge, the amount of which is to be set by the Village Board, to the sewer bill of any person violating any of the provisions of Chapter 198, the Sewer Law.

Mayor Curtin explained that the background information on the need for the amendment lies in the Sump Pump Redirection Program, which was initiated last summer and was quite successful – with over 95% of Village residents. However, there are still about twenty (20) residences that need to be inspected. The Board authorized the Village Attorney to send another letter to those property owners, with the notation that, according to Chapter 198-30 (Right of entry), Village employees are entitled to "enter all properties for the purposes of inspection, observation, measurement, sampling and testing." In addition, according to Chapter 198-33 (Prohibited discharges), "No person shall discharge or cause to be discharged any storm water, groundwater, roof runoff, subsurface drainage...to any sanitary sewer." Again, according to Chapter198-66 (Violations - Penalty), "the Village may revoke any wastewater discharge permit or terminate or cause to be terminated wastewater service to any premises if a violation of any provision of this Chapter is found to exist..."

Mayor Curtin went on to say that because the latter provision might create an unnecessary health risk, the Board decided to propose an additional sanction which would more likely encourage residents to cooperate with a sanitary sewer inspection. This sanction would be an amendment to the sewer law, which would levy surcharges on those property owners who refuse to comply with an inspection and could double the sewer rent each quarter, until an inspection takes place. The Village Board of Trustees will determine the amount of the surcharge.

The Board urged those property owners who have refused an inspection to contact the Village Inspector, John Holmes at 414-8299 or the Village Office (673-3112) to arrange for an inspection and avoid a surcharge on their sewer rents each quarter.

Mayor Curtin asked if there were any comments or questions from the public. One of the residents was in support of the Board approving the local law. Mayor Curtin asked for additional comments. Hearing none, Mayor Curtin asked for a motion to close the public hearing. Trustee Cox made the motion. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on closing the public hearing. Hearing none, Mayor Curtin called for a voted. All board members voted aye and the motion to close the public hearing was carried.

Meeting was adjourned at 7:07 p.m.

Dawn M. O'Hara, Village Clerk