

**REGULAR MEETING OF THE VILLAGE BOARD
OF THE VILLAGE OF MARCELLUS HELD ON
JANAURY 23, 2012 AT THE VILLAGE HALL**

PRESENT: John P. Curtin, Mayor See List
Mary Jo Paul, Trustee
Jeff Brown, Attorney

ABSENT: Patrick W. Cox, Trustee

Pledge of Allegiance.

Mayor Curtin called the regular board meeting to order at 7:00 p.m. Mayor Curtin started the meeting by announcing that Trustee Cox is again on duty in service to our country in Germany. Mayor Curtin also announced that Onondaga County Legislator Mike Plochocki, 6th District, was in attendance at the meeting and would provide updates on the County later in the meeting.

**CONSENT
AGENDA:**

The Village Clerk submitted the minutes of the last regular board meeting for the month of December 2011. The bills on Abstract Sheets #008 for General Fund in the amount of \$24,007.66, Sewer Fund in the amount of \$269,846.82, Capital Funds in the amount of \$115,427.26 and Trust & Agency in the amount of \$724.37 were audited. The bills totaled \$410,006.11. The Board received the Police Report from Chief Robert Wicks for December 2011. The Board also received the Building Inspectors report for the month of December 2011 from Building Inspector Bill Reagan. The Board acknowledged receipt of the minutes of the Town Board meetings for December 2011. The financial statements as submit by the Village Treasurer for December 2011 were also given to the Board for their review. Mayor Curtin made a motion to approve the consent agenda. The motion was seconded by Trustee Paul. Mayor Curtin asked if there was any discussion on the consent agenda. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

**COMMUNITY
DEV. GRANT**

APPLIC. 2012: Trustee Paul made a motion to again table, until next month, the 2012 Community Development Block Grant (CDBG) Application upon recommendation of the Village Engineer, who indicated that there are changes to the application, including a change in the maximum grant allowance from \$100,000 to \$50,000. The motion to table was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion regarding the grant application. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

**MARCELLUS
VETERINARY**

CONTRACT: Mayor Curtin made a motion authorize the Mayor to sign an agreement between the Village of Marcellus and Marcellus Veterinary Hospital whereby Marcellus Veterinary Hospital will establish a shelter to house dogs picked up by the Village Dog Control Officer, said contract to include the hospital fees for housing, vaccinating, and caring for stray dogs. The motion was seconded by Trustee Paul. Mayor Curtin asked if there was any discussion on the contract. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

PBA

DISCLAIMER: Mayor Curtin made a motion to accept and file a letter dated January 1, 2012 from the Acting President of the Marcellus Police Benevolent Association, disclaiming its status as the collective bargaining representative of the Village Police Officers, causing, in effect, the organization to cease to exist. As a result, the MPBA will no longer engage in any collective bargaining with the Village nor will the MPBA otherwise represent any Village Police Officer in any matter related to employment with the Village of Marcellus. The motion was seconded by Trustee Paul. Mayor Curtin asked if there was any discussion on the letter from the PBA. Trustee Paul wanted everyone to know that those involved in the original establishment of the PBA are no longer employed by the Village and that the current members no longer wish to continue the PBA. Mayor Curtin also explained that the current members no longer want deductions for membership dues coming out of their paychecks. Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

**RECORDS
AVAILABILITY**

LAW: Mayor Curtin made a motion to comply with a new state law which will take effect on February 2, 2012 requiring the Village and all municipalities to make available to the public, prior to or at an open meeting, records which will be the subject of discussion at the meeting. To comply with this law and as a proponent of open government, the Village Board will, beginning next month, and to the extent practicable and without having to expend additional money in order to comply with this new law, provide on the Village website, and posted in the Village Office, an agenda that will list the items that will be discussed at the monthly Board meeting. Members of the public, who wish to examine any items on the agenda, may contact the Village Clerk by 4:00 p.m. prior to the monthly meeting. The Village Clerk will provide such documents at a fee of 25 cents per page. The motion was seconded by Trustee Paul. Mayor Curtin asked if there was any discussion regarding the new law. Trustee Paul wanted everyone to know that the Board has always been willing to share any of the documents discussed at the meetings and emphasized that if anyone had a question on any of the documents being discussed, the Board would allow anyone to view their copy at no cost. In addition, during budget time, copies of the budget will be made available to the public at no cost, as has been done in prior years. Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

**VOTING BOOTH
LOAN**

PROGRAM: Trustee Paul made a motion to approve Village participation in the voting booth loan program with the Onondaga County Division of Purchase whereby the Village will be able to acquire on loan a voting booth machine from the County to use for Village election purposes. The Village also agrees to abide by the terms and conditions as specified by the Onondaga County Division of Purchase. The Village of Marcellus has also inquired of the Marcellus Central School District as to whether the School District will also allow the Village to borrow and return, for Village elections, a voting booth. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the issue. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

**POLICE DEPT.
NEW POSITION/
APPOINT-
MENTS:**

Mayor Curtin made a motion to create the position of Police Captain in the Marcellus Police Department, as well as approve the appointments by Police Chief Robert Wicks of Sergeant Bernie Podsiedlik to the rank of Provisional Captain and second in command of the Police Department, at a salary of \$20.25 per hour and of Officer Earl Smith to the supervisory rank of Sergeant at a salary of \$18.50 per hour, to fill these vacancies. The appointments will be effective February 2, 2012. The motion was seconded by Trustee Paul. Mayor Curtin asked if there was any discussion on the creation of the new position or the appointments. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

**BUDGET
MODIFICATIONS:**

Trustee Paul made a motion to approve budget modifications requested by the Village Treasurer transferring revenues and appropriations in the General and Sewer Funds. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the budget modifications. Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

**ANNOUNCE
VILLAGE
MEETINGS:**

Trustee Paul announced the scheduled meetings for the month for February 2011, which was provided by the Village Clerk. She asked those present to please note that the Village Offices will be closed on Monday, February 20th in observance of the Presidents' Day Holiday. She also noted that the first meeting of the Olde Home Days Committee for 2012 will take place on Thursday, February 2, 2012 in the Village Board Room.

**Police Chief
Updates:**

Chief Wicks provided the public with updates for the department during the past year. The Chief reported that the offices of the police department had been renovated. The total cost of the renovation amounted to about \$1,000 cost to the Village and included approximately \$8,000 of newer furniture. Chief Wicks explained that because the Sheriff's Office can be utilized for training, there is a significant savings to village residents with regard to training costs for the department. He let everyone know that the police department and village office doors were replaced with five new insulated doors which included computerized security locks. The cost for the new doors totaled \$8,900 for which he acquired a grant of \$8,500. The total cost to village residents for the new

doors was \$400. Chief Wicks wanted everyone to know that the department recently obtained two Crown Victorias for use as police vehicles from the Town of Manlius for \$1. Painting, computers and radios for the new vehicles were all provided for by grant funds. Because the Town of Manlius had no use for them, the Town also provided two sets of new tires for the vehicles. The Police Department signed a new contract with the school for School Resource Officer services, for which all costs are borne by the school. The department recently hired two new employees, Officer Bob Pitman and Officer Shannon Ray. Chief Wicks let everyone know that the department will continue to apply for grant funding but also explained that there is much less money available than in prior years. Chief Wicks mentioned that the drug activity that has been a considerable problem in the past, especially at the park, has been significantly reduced due to patrolling. He wanted everyone to know that the problem of speeding in the school zone has also been significantly reduced. Chief Wicks let everyone know that the department received an award from the Onondaga County Traffic Safety Advisory Board for their outstanding performance in traffic safety. The Board commended Chief Wicks on the award and thanked him for the updates.

Updates by the Mayor:

Mayor Curtin provided updates on the following subjects:

- a. Sale of old Library – as mentioned last month, the Village accepted a proposal for the sale of the library. On January 13, 2012, the Village closed on the sale of the property and the new buyer has taken possession of 2-4 Slocombe Avenue
- b. Another unfunded mandate – a new state law will take effect on February 2, 2012, requiring the Village and all municipalities to make available to the public, prior to or at an open meeting, records which will be the subject of discussion at the meeting. While the Village Board is in favor of this extension of the Open Meetings Law, it is yet another example of the State of New York imposing its will on Villages and other municipalities without providing adequate guidelines or the funding that will be necessary for our Village to comply. The Village Board will comply with the new dictum from the State and beginning next month, will, to the extent practicable, provide on the Village website, and posted in the Village Office, an agenda that will list the items that will be discussed at the monthly Board meeting. Members of the public, who wish to examine any items on the agenda, may contact the Village Clerk by 4:00 p.m. prior to the monthly meeting. The Village Clerk will provide such documents at a fee of 25 cents per page.
- c. Coon's Pond – Attorney Brown continues to work out the details of an easement agreement with the property owner's attorney so that proper maintenance of the pond will continue into the future.
- d. No Parking – the Board continues to alert residents that there is no parking on any of the Village streets, from 2 a.m. to 7 a.m., from November 1st to April 1st so that the highway crew can plow snow.
- e. Snow Plowing – The Board again wanted to alert independent snow plow operators that it is illegal to plow or shovel snow or ice during snow removal operations upon a village sidewalk or other public way. While most of the independent snow plow operators in the Village comply as much as possible with the law, there are some who need to be reminded that if a driveway is being plowed, that snow **CANNOT** be plowed into the street. **NOR** can the snow be plowed out of a driveway, across the street and into the village right-of-way across from the plowed driveway. The Village is not responsible for any snow that accumulates on a resident's property and the Village cannot be responsible for removing snow that has been plowed onto the Village right-of-way. We ask that independent snow plow drivers take this into consideration when they are plowing residential properties in the village.
- f. Two Hour Parking – the Village continues to receive complaints that some individuals are violating the two-hour parking ban during the day, particularly on North and Main Streets. For long-term parking, the Board urges residents and business owners to use the public parking lots.
- g. Governor's Budget – AIM Funding -- The Executive Budget proposes that AIM funding be preserved at current year levels. **Pension Reform** -- The Executive Budget includes a new Tier 6 proposal that includes a defined contribution option similar to that which NYCOM has been advocating. It also contains provisions that will ensure that dramatic swings in contribution rates will be shared equally between employers and employees. **Transportation Aid** -- Funding for CHIPS would remain at current year levels of \$363.1 million. **Mandate Relief** -- Aside from pension reform, the Executive Budget contains little mandate relief, as this is being left to the new Mandate Relief Council which is apparently scheduled to meet for the first time next week. **Aid for Consolidation and Efficiency Improvements** -- The Executive Budget contains a total of \$79 million to encourage and reward local governments that consolidate or achieve efficiencies and performance improvements.
- h. Village Banners – many are in need of repair and/or replacement and they will be addressed in the spring
- i. Village Entrance Sign – on South Street has been vandalized and will need to be replaced, probably at a cost of about \$1,000 to \$1,500. Fortunately, the damage is not as visible as it is, and we will spend some time this winter to plan for its replacement.

- j. Village Highway Department – The mayor publically thanked several people for some of the extraordinary efforts that they expended last week – the Village Highway crew (Harold, Jim and John), along with Ron Schneider, the Sexton at St. Francis Xavier Church, who were instrumental in getting the Village’s big truck, loaded with salt, which had broken down on South Street, back into the highway garage where they were able to make repairs and get it back on the streets. Needless to say, they did this as if it was just another day in the Village, but the Board realizes that they went above and beyond, and on behalf of the Village Board, Mayor Curtin express his sincere thanks to them for a job very well done.
- j. Safety Training – for Village employees training has improved dramatically in recent months, and a recent visit from PERMA and PESH gave high marks to the Village for its efforts in this regard.
- k. Compost Project – continues to move along steadily and it is about 95% complete – it is expected that the first composting will be done in mid February. The WWTP operators intend to have an Open House in mid April, at which time, they will be able to distribute compost to Village residents.
- l. Composting Brochure – as mentioned at the last Board meeting, a composting brochure is being completed and the Board hopes to have it ready for the public when the facility is fully operational – probably in time for the spring newsletter.
- m. Property Tax Cap – will probably go into effect at our March Board meeting – having learned from the experience of several towns, it is best to override, if only to protect the Village from penalty. Should the adopted budget vary from the actual budget, resulting in a tax hike of more than 2 percent, the Village would be responsible for a host of fines for violating the governor’s tax cap. The public might think that the Village, by overriding the cap, is just ignoring the law and not in support of a tax cap, when in actuality the Village is very much in favor of it. With the Village continuing to receive unfunded mandates from the state, coupled with a cap on its ability to raise revenue, it is very difficult for the Village to plan or even survive. Therefore, the Village will most assuredly vote to override the tax cap in the near future.
- n. March Election – a four-year position of Village Trustee will be up for election and Tuesday, March 20, 2012, from Noon to 9 p.m. is the date and time set for that election.
- o. Local Government Efficiency Grant – Trustee Paul, the Village contact person for the efficiency grant, gave an update on the first meeting with the Town and the School District for the purpose of attempting to secure grant funding for the Village’s Water Pollution Control Plant. She explained that there is a serious problem with Inflow & Infiltration into the plant from stormwater, etc. and that the grant money would help considerably. The deadline to apply for the grant is March 21, 2012.

After concluding with his updates, Mayor Curtin asked if there were any comments from the Board. There were none.

**Visit from
Onondaga County
Legislator Mike
Plochocki;**

Legislator Plochocki began by saying that he will do his best to represent the Village of Marcellus on the County Legislature and provided the following updates. He informed everyone that Ryan McMahon was elected by the legislators as the Chairperson of the County Legislature. Mr. Plochocki announced his two Legislature Committee appointments by Chairperson Ryan McMahon – one to the Environmental Protection Committee, of which Mr. Plochocki will serve as Chairperson, and the second to the Planning and Economic Development Committee. As a representative of the County Legislature, Mr. Plochocki also requested to be appointed to three additional outside boards that are not part of the Legislature boards but that legislators may be appointed to if they so choose. The three outside boards that Mr. Plochocki was appointed to are the CNY Regional Planning & Development Board, NYSDEC Regional 7 Fish and Wildlife Management Board and the City/County Youth Board. Mayor Plochocki let everyone know that he is accessible to the public and may contact him with any concerns or issues. Mayor Curtin thanked Mike for coming and for the updates.

**Items from the
floor:**

Mayor Curtin opened up the floor to the public and asked if there were any comments or questions from the audience. Hearing none, Mayor Curtin asked for a motion to adjourn the regular board meeting. Trustee Paul made the motion to adjourn. Mayor Curtin seconded the motion. Mayor Curtin called for a vote. All board members voted aye and the motion carried. Mayor Curtin thanked everyone for coming to the meeting.

The Regular Board Meeting was adjourned at 7:50 p.m.