

**ANNUAL MEETING HELD BY
THE VILLAGE BOARD OF TRUSTEES ON
APRIL 2, 2012 AT THE VILLAGE HALL**

PRESENT: John P. Curtin, Mayor See List
Sally Tallman, Trustee
Patrick W. Cox, Trustee
Antonino J. Provvidenti, Treasurer

ABSENT: None

Pledge of Allegiance.

Mayor Curtin called the meeting to order at 7:00 p.m.

The Village Clerk read the official notice and entered the notice into the minutes.

Mayor Curtin introduced newly elected Trustee Sally Tallman and asked the Village Clerk to administer the Oath of Office to Sally. Trustee Tallman was sworn into a 4 year term commencing April 2, 2012. Mayor Curtin also recognized former Trustee Mary Jo Paul, who was in the audience.

DEPUTY MAYOR:

Mayor Curtin announced that the first appointment did not require Board approval, and is the sole prerogative of the Mayor. Accordingly, Mayor Curtin appointed Trustee Patrick Cox to serve as Deputy Mayor of the Village of Marcellus for a term of one year (4/1/2012 – 3/31/2013) in his absence or inability to serve, in which case the Deputy Mayor is vested with all of the powers of the Mayor.

VILLAGE

ATTORNEY: By a motion from Mayor Curtin, seconded by Trustee Tallman and carried with a vote of 3-0; Jeff Brown of the law firm, Mackenzie Hughes, was appointed to serve as Marcellus Village Attorney and to approve a letter of engagement whereby Mackenzie Hughes and Jeffrey D. Brown will provide general legal service to the Village of Marcellus for the period 4/1/2012 to 3/31/2013.

**DATE & TIME OF
REGULAR BOARD**

MEETINGS: Trustee Cox made a motion to set the date and time of the regular Board Meeting for the 4th Monday of each month, at 7:00 p.m., in the Village Hall and for Board Workshop Meetings to be held on the Thursday prior to the Regular Meeting at 3 p.m., or on the Friday prior to the Regular Board Meeting at 10 a.m. in the Village Hall. The Workshop Meetings may be canceled or changed at any time by the Mayor, with appropriate notification to the media and other members of the Board of Trustees. The motion was seconded by Trustee Tallman. All board members voted aye and the motion carried.

**DATE & TIME OF
SPECIAL BOARD**

MEETINGS: Trustee Tallman made a motion to allow the Mayor to call Special Board Meetings when necessary, at a time and date to be decided, and to authorize the Village Clerk to notify each of the Trustees (as soon as reasonably possible) as to the date, time and place of Special Board Meetings. The Village Clerk will also post the appropriate Public Notice and notify the media as to the time, place and reason for the Special Board Meeting. The motion was seconded by Trustee Tallman and carried. All board members voted aye.

RULES OF

PROCEDURE: Trustee Cox made a motion to conduct Village Board Meetings pursuant to Rules of Procedure that have been in effect in previous years, a copy of which is on file, for inspection, in the Village Office.

- a. Agenda** – the Village Clerk shall prepare an agenda for each meeting of the Village Board, which shall list the matters to be considered by the Village Board at such meeting. The matters to be listed in the agenda shall be determined by the Mayor, in consultation with the other members of the Board of Trustees.
- b. Presiding Officer** – the Mayor shall preside at all meetings of the Village Board and may vote on any matter before the Board. In addition, the Mayor must vote in the case of a tie.
- c. Questions of Order** – the Mayor shall decide all questions of order. In discussing a question or issue, a Trustee shall address the Mayor and will have the floor when recognized by the Mayor.
- d. Robert's Rules of Order** – “Robert’s Rules of Order” shall govern the deliberations of the Board of Trustees. The rules of order, other than those prescribed by statute, may be suspended at any time by the consent of a majority of the members of the Board present at any meeting.

- e. Recording of Open Meetings** – all open meetings of the Village Board of Trustees shall be audio taped by the Village Clerk. Nothing in this section precludes the videotaping of open meetings of the Board of Trustees. It is the policy of the Village Board to cooperate with representatives of the print and broadcast media and with other members of the public who wish to record public meetings of the board by tape, film or other means, so long as said recordings are not disruptive to the meeting, and do not violate the rights of the members of the public body, witnesses and the public.
- f. Order of Business** – the order of business at regular meetings of the Village Board shall be as follows:
1. Call Meeting to Order
 2. Roll Call
 3. Pledge of Allegiance
 4. Consent Agenda – shall include
 - a. Acceptance of minutes of previous Regular Board Meeting and any Special Board Meetings
 - b. Acceptance of Audit of Bills on Abstract Sheets for previous month
 - c. Acceptance of Police Report for previous month
 - d. Acceptance of Building Inspector’s Report for previous month
 - e. Acceptance of minutes of Marcellus Town Board Meeting for previous month
 - f. Acceptance of Financial Statements for previous month
 - g. Acceptance of Other Reports
 5. Regular Agenda Items
 6. Village Updates – new business
 7. Other Recognitions
 8. Items from the Floor
 9. Adjournment
- g. Transaction of Business at Special Board Meetings** – at special meetings of the Village Board, the business to be transacted thereat shall be only that stated in the notice of such meeting, except that any other business may be transacted at such special meeting by two-thirds consent of all the members of the Village Board.
- h. Voting** – every member of the Village Board present at any meeting thereof, when a vote is taken, shall vote for or against or abstain or recuse, or be excused from voting by the Village Board. In the event of a roll call vote, silence, when a Trustee’s name is called, shall be deemed an affirmative vote by the Trustee. Roll call vote shall be called in alphabetical order of the last name of the Trustee. The Mayor shall be the last one to cast a vote.
- i. Suspension of Regular Order of Business** – the regular order of business at a stated meeting may at any time be suspended by the affirmative vote of two-thirds of the members of the Village Board present at such meeting.
- j. Executive Sessions** – upon a majority vote of its total membership, taken in an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, the Board of Trustees may conduct an executive session for matters which Federal, State, or Local law permits an executive session.
- k. Comments by Members of the Public** – during that part of the Agenda, Items from the Floor, the Mayor shall entertain comments from members of the public as to the merits of any item set forth on the agenda, or any other items that members of the public may wish to address. The Mayor shall have the discretion to withhold recognition of members of the public until the regular agenda has been completed.

The motion was seconded by Trustee Tallman. By a vote of 3-0, the motion to adopt the Rules of Procedure was carried.

OFFICIAL BANKS:

A resolution appointing Key Bank and CLASS MBIA as the official depositories for the Village of Marcellus was moved for adoption by Trustee Tallman, seconded by Trustee Cox.

“**Whereas** the Board of Trustees has determined that Village Law requires the designation of banks or trust companies for the deposit of all Village monies, **Now therefore be it resolved:** that Key Bank of CNY N.A. be, and is hereby designated as the depository for regular accounts, and as the depository for capital and investments, and that all monies received by the Village Treasurer, Village Clerk, and Receiver of Taxes be deposited in said depository. This resolution, upon approval is effective immediately.”

Mayor Curtin called for a vote. All board members voted aye and the motion carried.

OFFICIAL

NEWSPAPERS: Trustee Cox made a motion to designate The Eagle Observer and The Post Standard as the official newspapers for publication of official Village notices, seconded by Trustee Tallman. Mayor Curtin called for a vote. All board members voted aye and the motion carried.

APPOINTMENT OF VILLAGE

EMPLOYEES: Mayor Curtin made a motion to appoint the following Village Employees:

- a. Four Year Appointments** – there are no 4-year appointments this year.

b. One Year Appointments – the following are 1-year appointments – from April 1, 2012 to March 31, 2013

Custodian, Part Time	Katherine Welsh
School Crossing Guard	Katherine Welsh
Highway Department, Full-Time	Harold Muncy, James LaRose
Highway Department, Part-time	John Holmes, whose six-month probationary period has ended, and whose salary will increase from \$15.00 to \$17.00 per hour as of April 1 st
Waste Water Treatment Plant	Greg Crysler, Ryan Riefler
Dog Control Officer	James LaRose
Police Chief, Part Time	Robert A. Wicks
Police Captain, Part Time	Bernie Podsiedlik
Police Sergeants, Part Time	Keith Gates, Earl Smith
Patrolman, Part Time	Christopher Cushman, Matthew Hayes, Raymond Herrick, Robert Pittman, Shannon Ray, Leonard Richer, Christopher Rowe, John Scanlon, Matthew Zingaro
School Resource Officers	Earl Smith, John Scanlon
Police Clerk, Part Time	Brenda Giacchi

The motion was seconded by Trustee Tallman. Mayor Curtin called for a vote. All board members voted aye and the motion carried.

SALARY & BENEFITS:

Trustee Cox made a motion to continue to provide to Village employees, the same benefits (holidays, vacation days, sick leave, bereavement leave, extenuating circumstances, health benefits, retiree health care coverage, clothing and equipment allotment) that have been in effect for the previous year, accompanied by a 2% salary increase for most employees, except for the Mayor and Trustees. A copy of employee salaries and employee benefits is on file for inspection in the Village Office. The motion was seconded by Trustee Tallman. All board members voted aye and the motion carried.

EXECUTE BONDS:

Trustee Tallman made a motion to notify the public that the Village, having secured property and liability insurance coverage, has executed surety bonds for all Village employees in the amount of \$50,000 and in the amount of \$100,000 for the Village Treasurer and Village Clerk and that the expense of this undertaking has been a charge to the Village. The motion was seconded by Trustee Cox. Mayor Curtin called for a vote. All board members voted aye and the motion carried.

APPOINT VILLAGE COMMITTEES:

a. Chair of Senior Housing Committee – Trustee Cox made a motion to appoint Robert J. Wilson as Chairperson for the Senior Citizens' Research Committee for a term of one year from April 1, 2012 – March 31, 2013.

b. Marcellus Betterment Association – Trustee Cox also made a motion to approve an extension of the Marcellus Betterment Association for another year, from April 1, 2012 to March 31, 2013. The Association was originally created to raise funds for the purchase and installation of historic lampposts in the Village – to this goal, the Association may be encouraged to add others so as to beautify the Village.

Both motions were seconded by Trustee Tallman. Mayor Curtin called for a vote. All board members voted aye on both motions and the motions carried.

VILLAGE ENGINEERS:

Mayor Curtin made a motion to utilize the services of and solicit competitive bids, when appropriate or deemed necessary by the Village Board, from several engineering firms including Barton & Loguidice, TDK Engineering, Plumley Engineering and MRB Engineering. The motion was seconded by Trustee Tallman and carried. Mayor Curtin called for a vote. All board members voted aye and the motion carried.

VILLAGE HISTORIAN:

Mayor Curtin made a motion to appoint Peg Nolan as Village Historian for a period of one year, 4/1/12 to 3/31/13. The motion was seconded by Trustee Cox. Mayor Curtin called for a vote. All three board members voted aye and the motion carried.

PLANNING BOARD:

Mayor Curtin thanked Diana Bird for her years of service on the Planning Board and made a motion to appoint Peter Chapman to a 5-year term as a member of the Village Planning Board – from April 1, 2012 to March 31, 2017. The motion was seconded by Trustee Tallman. Mayor Curtin called for a vote. All board members voted aye and the motion carried. Peter was in attendance at the meeting and was sworn in by the Village Clerk. Peter signed the Oath of Office and was congratulated by the Board.

ZONING BOARD:

Mayor Curtin announced that the Board of Trustees is pleased that Timothy Sweet has agreed to accept another five year term as a member of the Zoning Board of Appeals, and that Maribeth Rayfield has agreed to accept an appointment to the Zoning Board of Appeals, taking the place of Sara Tallman who was recently elected to the Village Board. Mayor Curtin made a motion to appoint Timothy Sweet to a five-year term, from April 1, 2012 to March 31, 2017, as a Member and as the Chair of the Zoning Board of Appeals and to appoint Maribeth Rayfield to complete the four years remaining of Sara Tallman’s tenure on the ZBA, from April 1, 2012 to March 31, 2016. The motion was seconded by Trustee Cox and carried. Mayor Curtin called for a vote. All board members voted aye. Tim was in attendance at the meeting and was sworn in by the Village Clerk. Tim signed the Oath of Office and was congratulated by the Board. Maribeth was not able to attend the meeting and will take the Oath of Office at a later date.

CODE

OFFICER:

Mayor Curtin made a motion to table the appointment of the Code Enforcement Officer of the Village of Marcellus until a future, regular Board meeting. The motion was seconded by Trustee Tallman. Mayor Curtin called for a vote. All board members voted aye and the motion carried.

FIRE

INSPECTOR:

Mayor Curtin motion to motion to table the appointment of the Fire Inspector of the Village of Marcellus until a future, regular Board meeting. The motion was seconded by Trustee Cox and carried. Mayor Curtin called for a vote. All board members voted aye and the motion carried.

STORM WATER

MGMT DESIGNEE:

Mayor Curtin made a motion to table the appointment of the Storm Water Management Designee of the Village of Marcellus until a future, regular Board meeting. The motion was seconded by Trustee Tallman. Mayor Curtin called for a vote. All board members voted aye and the motion carried.

ANNUAL

CONTRACTS:

Trustee Cox made a motion to table the annual contracts for the Marcellus Historical Society, Marcellus Health/Loan Closet and Marcellus School District SRO agreement until the regular Board Meeting on April 23, 2012. The motion was seconded by Trustee Tallman. Mayor Curtin called for a vote. All board members voted aye and the motion carried.

ANNUAL

RESOLUTIONS: Trustee Tallman made motions to adopt the following resolutions:

a. Authorize Mayor To Sign Checks – a motion to authorize the Mayor to sign checks . . .

“**Whereas** in the absence or inability of the Village Treasurer or a Village Trustee to sign checks,

Now therefore be it resolved, that the Board of Trustees authorizes the Mayor to sign checks, a certified copy of which resolution will be provided to the bank or Village depository. This resolution is effective immediately.”

b. Advanced Approval of Claims – a motion to authorize payments in advance of audit of claims . . .

“**Whereas** the Board of Trustees had determined to authorize payment in advance of audit of claims for public utility services, postage, freight and express charges; and

Whereas all such claims must be presented at the next regular meeting for audit; and

Whereas the claimant and officer incurring or approving the claim are jointly and severally liable for any amount the Board of Trustees disallows.

Now therefore be it resolved, that

1. The Board of Trustees authorizes payment in advance of audit of claims for public utility services postage, freight and express charges. All such claims must be presented that the next regular meeting for audit and the claimant and the officer incurring or approving the claims are jointly and severally liable for any amount the Board of Trustees disallows.
2. This resolution is effective immediately.”

c. Set Mileage Allotment – a motion to pay a reasonable mileage allowance . . .

“**Whereas** the Board of Trustees had determined to pay a fixed rate for mileage as reimbursement to Village officers and employees who use their personal automobiles while performing their official duties; in advance of audit of claims for public utility services, postage, freight and express charges; and

Now therefore be it resolved, that

1. The Board of Trustees will approve reimbursement to such officers and employees at the rate of .50 per mile, and that,
2. This resolution is effective immediately.”

d. Authorize Organizational Meetings – a motion to authorize municipal officials and employees to attend schools, conferences and seminars conducted for the benefit of the local government . . .

“**Whereas** there is to be held during the coming official year a number of schools, conferences and seminars for the benefit of the local government, and **Whereas** attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools benefits the municipality;

Now therefore be it resolved, that

1. The following officers and employees are authorized to attend the following schools:
 - Village Clerk, Village Treasurer and Staff
 - NYS Conference of Mayors and Other Municipal Officers – Provisional
 - CNY Village Clerk-Treasurer Association
 - Waste Water Treatment Operators – twice a year (fall and spring)
 - CNY Water Works Conference (Pond) – 6 meetings per year
 - Water Pollution Control Federation – recertification hour – twice per year
 - NY Rural Water Annual Training – 3 days in May
 - Chief of Police
 - NYS Chiefs of Police Association – Annual four-day conference
 - Onondaga County Chiefs of Police – Monthly Meetings – 3rd Tuesday – AM
 - Onondaga County Traffic Safety Advisory Board – Bi-monthly – Tuesday – AM
 - Highway Department
 - Association of Towns Highway Superintendent Meetings – Monthly
 - Highway School – Ithaca – 3 Days in June for highway personnel
 - Board of Transportation – 3-4 times per year
2. This resolution is effective immediately.”

The motions were seconded by Trustee Cox. Mayor Curtin called for a vote. All board members voted aye to the motions and the resolutions were approved.

PROCUREMENT

POLICY: Trustee Cox, having again reviewed the procurement policy adopted in 1993 and updated in 2002, made a motion to continue that policy governing the procurement of all goods and services which are not required to be purchased pursuant to the competitive bidding requirements of General Municipal Law Section 103, a copy of which is on file in the Village Office. The motion was seconded by Trustee Tallman. Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**ANNOUCE
EARTH DAY
PARTICIPATION:**

Mayor Curtin wanted to notify the public that the Village of Marcellus will again participate in the Earth Day observance. The observance will take place on April 27, 2012, in conjunction with 2nd grade students from the Marcellus Central School District. The 2nd grade students will gather at the Village Hall after policing the area and the streets north of Main Street, where the Village will provide refreshments and its thanks for all of the work that they provided. The Board of Trustees would like to thank all of the students as well as MCS staff members, as well as our own staff for their help in this matter.

Trustee Cox made a motion to adjourn the annual meeting and open the public hearing on the Tentative Budget. Trustee Tallman seconded the motion. Mayor Curtin called for a vote. All board members voted aye and the motion carried.

Annual Meeting adjourned at 7:19 p.m.

Dawn O’Hara
Village Clerk