

**REGULAR MEETING OF THE VILLAGE BOARD  
OF THE VILLAGE OF MARCELLUS HELD ON  
MAY 21, 2012 AT THE VILLAGE HALL**

**PRESENT:** John P. Curtin, Mayor See List  
Patrick W. Cox, Trustee  
Sally Tallman, Trustee

**ABSENT:** Jeff Brown, Attorney

Pledge of Allegiance.

Mayor Curtin opened the regular board meeting at 7:00p.m.

**CONSENT  
AGENDA:**

The Village Clerk submitted the minutes of the special meeting and the regular board meeting for the month of April 2012. The bills on Abstract Sheets #012 for General Fund in the amount of \$22,508.20, Sewer Fund in the amount of \$79.49, Capital Funds in the amount of \$10,892.10 and Trust & Agency in the amount of \$79.49 were audited. The bills totaled \$60,839.25. The Board received the Police Report from Chief Robert Wicks for April 2012. The Board also received the Building Inspectors report for the month of April 2012 from Building Inspector Bill Reagan. The Board acknowledged receipt of the minutes of the Town Board meetings for April 2012. The financial statements as submitted by the Village Treasurer for April 2012 were also given to the Board for their review. Trustee Cox made a motion to approve the consent agenda. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the consent agenda. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**CODE OFFICER  
APPOINT-  
MENTS:**

Trustee Tallman made motions for the following:

Code Enforcement Officer – a motion to appoint Bill Reagan as the Part-Time Code Enforcement Officer of the Village of Marcellus, effective June 1, 2012. Bill will work varied hours at an annual salary of \$5,700.00.

Create Deputy Codes Enforcement Officer Position – a motion to create a Deputy Codes Enforcement Officer position for the Village of Marcellus.

Appoint Deputy Codes Enforcement Officer – a motion to appoint Kurt Field as Part-Time Deputy Codes Enforcement Officer of the Village of Marcellus, effective June 1, 2012. Kurt will work varied hours in the position and include fire inspections. He will be paid an annual salary of \$5,000.00.

Appoint Storm Water Management Designee – a motion to appoint Kurt Field as the Storm Water Management Designee of the Village of Marcellus.

Appoint Electrical Inspector – a motion to authorize the appointment of Lawrence J. Kinne of CNY Electrical Inspection Services to perform electrical inspections in the Village. Mr. Kinne previously worked for Commonwealth Electrical Inspection Services and was recommended by CEO, Bill Reagan.

All of the motions were seconded by Trustee Cox. Mayor Curtin asked if there was any discussion regarding any of the appointments. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motions carried.

**POLICE  
APPOINT-  
MENTS:**

Trustee Cox made motions to appoint, pending favorable background checks and polygraph tests, Jeffrey D. Fortino and Gabriel Storto as part-time Police Officers of the Village of Marcellus. Jeff and Gabe will be paid, following successful completion of the Field Training Program, a patrolman's salary of \$17.00 per hour. The motions were seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the appointments. There were none. Mayor Curtin asked Police Chief Wicks if he wanted to comment on the appointments. Chief Wicks informed everyone that both of the new officers will pay their own way through the police academy, as well as through field training. Both of the new officers should complete their field training by October or November 2012. Mayor Curtin called for votes on both of the motions. All board members voted aye and the motions carried.

**B & L  
STORMWATER  
REPORT:**

Trustee Tallman informed the public that the Village's Annual Storm Water Report had been completed by B & L and was available for public inspection in the Village Office or on the Village website. Trustee Tallman made a motion to authorize the Mayor to sign the proposal from B & L to cover their continued assistance in preparing the MS4 Annual

Report on Storm Water Management. The motion was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on the annual stormwater report. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**PERMA  
WORKERS COMP**

**COVERAGE:** Trustee Cox made a motion to authorize the Mayor to sign a two-year agreement with PERMA, the Public Employer Risk Management Association, which provides workers' compensation and employers' liability for the Village of Marcellus. The two-year agreement will cost the Village \$23,403.00 the first year and provides the Village with an idea of the renewal cost in Year Two, which will also be \$23,403.00, but will be based on Loss Ratio performance. It was also noted that the State of New York mandates what the base rate is for the employer and also mandates what the weekly benefit is for injured employees. The latter amount was increased last year by the State from \$400 per week to \$750 per week. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the workers compensation proposal. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**4<sup>th</sup> SEWER  
EXTENSION**

**AGREEMENT:** Trustee Tallman made a motion to approve an extension, for another thirty (30) days, of the Town Sewer Agreement so that officials of the Town and Village can negotiate a mutually acceptable contract that will not discontinue service. The fourth sewer extension agreement expires on June 30, 2012, and is based upon the same terms, covenants and conditions as contained in the Agreement. Trustee Tallman explained that the fees paid the Town Sewer District residents to the Village will continue to be based upon the same formula as set forth under paragraph #3 of said Agreement. The motion was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on the agreement. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**WILLIAMSON  
LAWBOOK SUPPORT**

**AGREEMENT:** Trustee Cox made a motion to approve the annual tax software support contract in the amount of \$385.00, whereby the Village of Marcellus will be provided ongoing software support and maintenance from the Williamson Law Book Company for tax collection. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the agreement. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**NO PARKING**

**BRADLEY ST.:** Trustee Tallman made a motion to table the proposal to limit parking on Bradley Street to the north side of the street – the Village Board will monitor the situation for another month and make a determination if parking becomes less dangerous and residents continue to use their driveways rather than both sides of the street to park their vehicles. The motion to table was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on the parking issue. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**RELEVY OF**

**UNPAIDS:** Trustee Cox made a motion to have the outstanding utility bills (refuse and sewage) re-levied to the Village of Marcellus property tax bills. The total amount re-levied to the taxes was \$42,002.66. Trustee Cox noted that as a point of interest, the amount re-levied in 2011 was \$61,015.78, in 2010 was \$70,710.05 and in 2009 was \$79,229.85. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the relevy of unpaids. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**B & L NEGATIVE  
CHANGE**

**ORDER:** Trustee Tallman made a motion to approve an adjustment to the total contract price from Bat Con, Inc. for the sanitary sewer rehabilitation of Chrysler and Old North Streets. The motion was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on the change order. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**MRB**

**PROPOSAL:** Trustee Cox made a motion to approve the proposal from MRB Group for professional services, which included technical assistance in preparation of the Sewer Consolidation Grant Application, technical assistance in preparation of the pending phosphorus limits/TMDL requirements at the Village Wastewater Treatment Plant, and their review and input on a new Village/Town Sewer Agreement, totaling \$9,700.00. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the proposal. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**BUDGET  
MODIFICATIONS:**

Trustee Tallman 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 Trustee Cox. Mayor Curtin asked if there was any discussion

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

**ANNOUNCE  
VILLAGE  
MEETINGS:**

Trustee Cox let everyone know that a list of meeting dates for the month of June 2012 had been published. The Village Clerk had copies of future meeting dates of the Village available for residents. Trustee Cox made special notification of the Marcellus Olde Home Days, sponsored by both the Village and Town of Marcellus, scheduled for June 1, 2, and 3, 2012. In addition, a Village-wide garage sale will be planned for Saturday, July 14, 2012 from 9 a.m. to 3 p.m. Garage Sale Permits will not be required on that day.

**Updates by the  
Mayor:**

Mayor Curtin provided updates on the following subjects:

- a. Lower Mill – last year the Board, as a public emergency and at the request of Code Enforcement Officer Bill Reagan, authorized the demolition of parts of the unsafe structures at 71 North Street. Combining the demolition expenses with those of legal, engineering, bonding and administrative (mailing, etc.) costs, the amount, billed to the owner, Mr. V. William Lucchetti, totaled \$111,622.68. The Village did not receive the payment by May 26, 2011 and assessed these costs against the property at 71 North Street. Since the Village tax bills, along with the re-levied expenses of the demolition, were not paid by October 2011, they were then re-levied to the Town and County taxes which were mailed in January of 2012. Those Town and County taxes were not paid, and the Village was made whole by the County of Onondaga in April 2012. On June 8, 2012, the Village will pay off the bonds, plus interest, that were taken out to finance the demolition costs.
- b. Welcome Signs – at the entrances to the Village have been repaired and painted. The sign located at South Street and Platt Road, was damaged beyond repair by vandals last year and has been replaced. Mayor Curtin and the board thanked Bob Wilson for all of his efforts in getting the sign replaced.
- c. No Skateboarding Signs – have been installed in parts of the Village Center, attached to the decorative fencing on West Main Street. In recent months, several of the memorial benches as well as the Gallup stone have been damaged by skateboarders. In addition, several merchants mentioned that patrons at their places of business have been startled, on occasion, by skateboarders racing by their doorways. There may be some who think that there is not a Village Ordinance related to skateboarding. However, such an ordinance does exist and has been part of the Village Code since 1930. Therefore, the Village Board decided that skateboarding would not be allowed on sidewalks in the Village Business Center. Mayor Curtin emphasized that there was never any intention to ban skateboarding, scooters, bicycles, roller blades, etc. in the Village, as some have alleged.
- d. Compost Project – on Saturday, May 19, 2012, an Open House of the Village of Marcellus Bio-Solids Composting Facilities was held from 9 a.m. to Noon. Tours of this environmentally responsible facility began at 9 a.m. and ended around noon. The operators were available to answer questions and helped load compost for residents. Mayor Curtin also mentioned that Ryan Riefler, one of the plant operators would make a presentation on Composting Municipal Bio-Solids at the NYRWA 33<sup>rd</sup> Annual Technical Conference on Wednesday, May 23<sup>rd</sup> at the Turning Stone Resort in Verona, New York.
- e. Local Government Achievement Award – Mayor Curtin noted that the New York State Conference of Mayors and Empire State Report magazine recognized the Village of Marcellus for its “Sludge Disposal by Composting Project.” Awarded Second Place in the Public Works Category of the 25<sup>th</sup> Annual Local Government Achievement Awards Program. NYCOM President, Mayor William D. Nelson of the City of Ogdensburg, send a letter stating: “The Village of Marcellus is to be commended for this excellent project. This award recognizes that local officials are working diligently to improve their communities and the quality of life for their residents in efficient and innovative ways.”
- f. Olde Home Days – is planned for June 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> in the Village and Town, and the Board urged resident participation. Mayor Curtin mentioned that the Police Department is planning an open house on June 2<sup>nd</sup> to display the renovation work that the officers completed, largely on their own time.
- g. Marcellus Murals – the Marcellus Grange recently presented its Community Citizen Award to the students and faculty of Marcellus Central School in recognition of the creative and collaborative community efforts through the Marcellus Murals Program. The Grange donated \$100.00 to the Mural Committee for furtherance of the program. The Board publically thanked the Grange and its members for their continued service to the residents of the Marcellus community.
- h. Sidewalks – per the Highway Chief’s recommendations, repairs will be made to selected areas on First Street, South Street, and Chrisler Street.

- i. Street repairs – on First Street, Maple Street Extension and the Village parking lot are planned for summertime, per the Highway Chief’s recommendations.
- j. Trees – per the Highway Chief’s recommendations, several trees on Main Street, South Street, Bradley Street, Chrisler Street and Maple Street will be removed – Mayor Curtin explained that there was not much money in the budget for new trees, but they might be able to plant several of those that have been grown at the WWTP, on side streets.
- k. Other – the Village Board publically thanked Kathy Welsh, Bill Manciocchi, the Marcellus Garden Club along with the many volunteers who grew and planted so many of the flowers that grace the Village flower boxes. In particular, the Board thanked some 7<sup>th</sup> graders from Driver Middle School who helped prepare, on service learning day held on May 15<sup>th</sup>, the flower boxes with compost from the Marcellus Treatment Plant.

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

**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. Mary Ann Czerniak of Bradley Street inquired as to whether the public could give input on the Bradley Street parking issue. Mayor Curtin let Mary Ann know that while the parking issue would not require a public hearing, he sent letters to residents of Bradley Street to notify them that the subject would be discussed at the May board meeting for that purpose. He also let her know that since the issue was tabled, residents of Bradley Street would still be able to provide input to the Board. Both Mike Czerniak and Mary Ann Czerniak inquired about the subject of skateboarding in the village. Mayor Curtin clarified that skateboarding would not be allowed in the Village Center but would be allowed on side streets. Mary Jo Paul asked if the Village had been contacted about the possibility of the Town and Village sharing a new highway garage. Mayor Curtin let her know that Town Highway Superintendent Don Maclachlan had approached Highway Superintendent Harold Muncy on the matter. Mike Alexander of Park Street notified the Board that one of the village lampposts was out on North Street. Mike also inquired as to whether the Village Board knew about trenching that was going on in Marcellus Park. The Board was not aware of any work other than drainage work but would try to get an answer for Mike. Mayor Curtin asked if there were any other questions or comments from the public or the board. Trustee Cox wanted to make one final comment regarding skateboarding. He informed the public that it was not the intention of the Board to restrict anyone’s personal freedoms and that the Board is not seeking to be stringent with enforcement of the ordinance but relies on the judgment of the police department to ensure the protection of the public and public property. Mayor Curtin asked for a motion to adjourn the meeting. Trustee Tallman made the motion to adjourn, seconded by Trustee Cox. 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 7:42 p.m.

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Dawn M. O’Hara, Village Clerk