

**REGULAR MEETING OF THE VILLAGE BOARD
OF THE VILLAGE OF MARCELLUS HELD ON
DECEMBER 17, 2012 AT THE VILLAGE HALL**

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

ABSENT: None

Pledge of Allegiance.

Before starting the meeting, Mayor Curtin requested a moment of silence for the victims of the tragedy that took place at Sandy Hook Elementary School in Newtown, Connecticut on Friday, December 14, 2012.

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

Police Chief Robert Wicks met with school officials earlier in the day and provided the Board and public with information regarding measures being considered by the school and police department to prevent a similar tragedy in Marcellus.

**CONSENT
AGENDA:**

The Village Clerk submitted the minutes of the special meetings and regular board meeting for the month of November 2012. The bills on Abstract Sheets #007 for General Fund in the amount of \$31,681.36, Sewer Fund in the amount of \$11,630.11 and Capital in the amount of \$2,500.00 were audited. The bills totaled \$45,811.47. The Board received the Police Report from Chief Robert Wicks for November 2012. The Board also received the Building Inspectors report for the month of November 2012 from Building Inspector Bill Reagan. The Board acknowledged receipt of the minutes of the Town Board meetings for November 2012. The financial statements as submitted by Village Treasurer Nino Provvidenti for November 2012 were 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.

**PUBLIC NOTICE –
ADOPTION OF**

NEW CODE: Trustee Tallman made a motion to table, until December 27, 2012, the Public Notice of Local Law Adopting the new Village Code. In order to conduct a complete environmental review of the proposed Village Code, over a dozen involved agencies were formally notified on November 27, 2012, about the Code update. The Board decided to wait a full 30 days for the agencies to respond and will set up a Special Meeting for December 27, 2012 to formally adopt the new Village Code. The motion was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on tabling the adoption of the new code. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

SPECIAL MEETING

NOTICE: Trustee Cox made an announcement to set up a Special Meeting for December 27, 2012, beginning at 11:00 a.m. in the Village Board Room, at which time, the Board will formally adopt the new Village Code.

**ONON. COUNTY
PLANNING BOARD**

RESOLUTION: Trustee Tallman made a motion to accept a Resolution of the Onondaga County Planning Board, dated December 5, 2012, which approves and commends the Village of Marcellus for updating and streamlining its codes, including the Zoning Code text and map, which reflect the Village's 2007 Comprehensive Plan. The motion was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on the resolution. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

EMPLOYEE

HANDBOOK: Trustee Cox made a motion to table a new and revised Village of Marcellus Employee Handbook, until the Special Meeting on December 27, 2012. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on tabling approval of the employee handbook. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motions carried.

DRUG TESTING

CONTRACT: Trustee Tallman made a motion to approve a contract with Lakeshore Employee Testing Services, to perform drug and alcohol testing for commercial drivers who are employed in the Village Highway Department at a cost of \$55.00 per employee. The motion was

seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on the contract. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**ONON. COUNTY DOT
GAS PURCHASE**

CONTRACT: Trustee Cox made a motion to approve a contract amendment extension with Onondaga County DOT for the purchase of fuel from the County for Village of Marcellus vehicles through December 31, 2015. 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.

LAKE COUNTRY VET

CONTRACT: Trustee Tallman made a motion to authorize the Mayor to sign an agreement between the Village of Marcellus and Lake Country Veterinary Clinic whereby Lake Country veterinary will establish a shelter to house dogs picked up by the Village Dog Control Officer. The cost for boarding and vaccinations of dogs will be billed to the owner of the dog. For stray dogs eligible for adoption, boarding and medicine will be billed to the person adopting the animal. The motion was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on the contract. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

VILLAGE IMPROVEMENT

PLAN: Trustee Cox made a motion to continue the Village Infrastructure Program, an agreement whereby the County provides financial assistance to the Village for the construction and maintenance of public improvements, and to complete the Application for Financial Assistance provided to the Village by the County of Onondaga and to submit the application by January 1, 2013. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the Village Infrastructure Plan. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**ANNOUNCE CREEKWALK
PUBLIC**

MEETING: Trustee Tallman made an announcement to approve the scheduling of a Public Informational Meeting for January 23, 2012, beginning at 6:30 p.m. in the Community Room of the Marcellus Free Library at which time, the proposed construction of the Nine Mile Creek Walk Project will be discussed with the engineers, Barton & Loguidice. The meeting will also solicit comments on the project from individuals, groups, officials and local agencies and allow the NYSDOT to answer any questions that may arise regarding the acquisition of rights-of-way for the creek walk construction.

**SEQR RESOLUTION/
NEG. DEC. –**

CREEKWALK: Trustee Cox made a motion to approve a resolution determining that the Creek Walk Project will not have a significant effect on the environment and as a result, the Village prepared a negative declaration with respect to the Project. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the SEQR Resolution. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**BOND
RESOLUTION –**

CREEKWALK: Trustee Tallman made a motion to approve a Bond Resolution of the Village of Marcellus authorizing the issuance of \$255,000 serial bonds to finance the cost of a walkway adjacent to Nine Mile Creek. The motion was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on the bond resolution. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**BUDGET
MODIFICATIONS:**

Trustee Cox made a motion to 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 Tallman. 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.

PROCLAMATION -

BILL LANG: Trustee Tallman read a proclamation in memory of dear resident William Lang who recently passed away. Trustee Tallman made a motion to approve the proclamation. The motion was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on the proclamation. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

REQUEST FOR

SEWER ADJ.: Trustee Cox made a motion to deny a request from a resident for an adjustment to an unusually high sewer bill. It is the opinion of the Board that since the amount of water, upon which the sewer bill was based, was actually used by the resident, and since the

Board has no other way of determining how to base its sewer rates other than water usage, the request for an adjustment is denied. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the sewer adjustment request. Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**ANNOUNCE
VILLAGE
MEETINGS:**

Trustee Cox announced the list of meetings scheduled for January 2013, which had been provided. He asked everyone to please note that the Village Offices will be closed on Tuesday, December 25th for the Christmas Holiday, on Tuesday, January 1st for the New Year's Holiday, and on January 21, 2013 to honor the memory of Dr. Martin Luther King Jr.. There will also be a Special Meeting on December 27, 2012, the purpose for which will be the adoption of the new Village Code. Also, a Public Informational Meeting on the Creek Walk will be held on January 23, 2013. He also mentioned that two informational handouts had been provided – Holiday Recycling Tips and F.O.G. in the Waste Water

**Updates by the
Mayor:**

Mayor Curtin provided updates on the following subjects:

- a. F.O.G. (Fats, Oils, Grease) – in the waste water is a topic that had been much discussed and will continue to be on the WPCP's agenda in the months ahead
- b. No Parking – we continue 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.
- c. Snow Plowing – We also would like 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. Some drivers have claimed that they have no place to put the snow. That, however, is not an excuse to put the snow into the street, nor across the street when plowing. The Village is not responsible for snow that accumulates on a resident's property and the Village is not 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. No snow should be plowed onto a village street or sidewalk, and any that has been, accidentally, must be removed before finishing the job.
- d. Two Hour Parking – in recent months, the Village has not received complaints of individuals violating the two-hour parking ban during the day, particularly on North and Main Streets. However, for long-term parking, we continue to urge residents and particularly business owners to use the public parking lots.
- e. Compost Project – continues to move along steadily. Village Engineers are now in the process of completing the final application and submitting it to the State for reimbursement. We have been notified that we are #137 on the list to be reimbursed, and the estimated time for that is 2 years or less. We would like to thank our operators and our engineers, as well as all of the work completed by our Treasurer to finalize the application.
- f. Sump Pump Program – will continue throughout the winter months – there are about 90 residences in the Village left to inspect and certify.
- g. Community Development Award – of \$50,000 for Scotch Hill will be addressed during our January meeting and as part of the sewer rehabilitation to be made in the spring and summer.
- h. Code Enforcement – violations at several Village properties, including 20 East Main Street and 28 Slocombe Avenue, have been addressed by the Code Enforcement Officer
- i. Sewer Agreement – the revised IMA Sewer Agreement with Town has been submitted to the Town for its review and approval.
- j. Marcellus Park Sewer Lines and Pump Agreement – the revised Park and Pump Agreement with Town has been submitted to the Town for its review and approval.
- m. Christmas Tree Lighting – on behalf of the Board, I would like to extend special thanks to all who were instrumental in conducting a very successful Tree Lighting on November 29, 2012, in particular our Village Clerk, Dawn O'Hara, and our Highway crew.
- o. Wilson Tract Street Improvements – the Board acknowledges receipt of a petition regarding street improvements from residents of the Wilson Tract and has also decided to defer further discussion until budget talks in March and/or April, 2013
- p. Village Code Comments – the Board also acknowledges receipt of a letter from several residents on Park Street regarding some concerns that they have regarding the new Village Code, in particular the possibility of the development in this area of a PD District and its impact of the residents. Board members have been

provided a copy of the letter and the Board is in the process of responding to those concerns.

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. There was discussion on the Creek Walk, commendation from Onondaga County Planning Board, Environmental Assessment of the new Village Code, SHPO and the use of Historical Preservation Funds to establish an Historic District in the Village of Marcellus, special permits and the housing of chickens in the Village. Mayor Curtin asked if there were any further questions or comments from the public or the board. Hearing none, 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 7:53 p.m.

Dawn M. O'Hara, Village Clerk