

**REGULAR MEETING OF THE VILLAGE BOARD
OF THE VILLAGE OF MARCELLUS HELD ON
JANUARY 28, 2013 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.

**CONSENT
AGENDA:**

The Village Clerk submitted the minutes of the special meeting and regular board meeting for the month of December 2012. The bills on Abstract Sheets #008 for General Fund in the amount of \$21,030.98, Water Fund in the amount of \$17,982.00, Sewer Fund in the amount of \$21,092.37, Capital Funds in the amount of \$66,333.90 and Trust & Agency in the amount of \$939.12 were audited. The bills totaled \$127,378.37. The Board received the Police Report from Chief Robert Wicks for December 2012. The Board also received the Building Inspectors report for the month of December 2012 from Building Inspector Bill Reagan. The Board acknowledged receipt of the minutes of the Town Board meetings for December 2012. The financial statements as submitted by Village Treasurer Nino Provvidenti for December 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.

**EMPLOYEE
HANDBOOK:**

Trustee Tallman made a motion to approve a new and revised Village of Marcellus Employee Handbook, a copy of which is on file in the Village Office for public inspection. The Handbook will go into effect on February 1, 2013. The motion was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on the employee handbook. 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 an Engineering Proposal submitted by MRB Group which will not only look at the upgrades that will be required to meet the new phosphorus limits, but also evaluate components of the plant that may have size limitations under the current flow conditions or have reached the end of their serviceable life. The cost of this Evaluation Report is \$24,800, which will be offset for the most part by the recently awarded Engineering Grant of \$30,000 provided by the State of New York in December 2012. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the proposal. Mayor Curtin also reported that Jim Oberst of MRB Group had informed him that the \$7,500 that the Village had already spent on the Flow Management Plan would be adequate in satisfying the 20% match that the Village is required to pay under the guidelines of the grant. Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**AUTHORIZE
B&L**

COMM DEV.: Trustee Tallman made a motion to authorize Barton & Loguidice to complete the 2013 Community Development Block Grant (CDBG) Application in the amount of \$450. The original fee on the proposal was \$600, but since the application is so similar to last year's application, B & L agreed to lower the amount to \$450. The motion was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on the proposal from B & L. Mayor Curtin noted that there had recently been a change in the maximum grant allowance from \$100,000 to \$50,000. He also mentioned that, at its February 2013 board meeting, the Board will vote on a proposal from B & L authorizing services for the design, bid and construction of Scotch Hill Sanitary Sewer Rehab (Phase I). The Village was previously awarded \$50,000 in CDBG monies for its 2012 application and is optimistic that the Village will be awarded an additional \$50,000 to continue with Phase II. 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 approve adjustments in the sewer and refuse charges levied against two Village properties. These adjustments forgive the late fee penalties of \$9.29 and \$21.81, which came about because of extenuating circumstances, the hospitalization of the property owner. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the requests to the sewer billing. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motions carried.

BUDGET

MODIFICATIONS:

Trustee Cox 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 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.

ANNOUNCE VILLAGE

MEETINGS:

Trustee Cox made note of the list of meetings scheduled for February 2013, which was provided for anyone interested. He also noted that the Village Offices will be closed on Monday, February 18th for the Presidents' Day Holiday and that the second meeting of the Olde Home Days Committee, 2012, would take place on Thursday, March 7, 2013 in the Village Board Room.

Updates by the Mayor:

Mayor Curtin provided updates on the following subjects:

- a. Police Updates – Chief Wicks and the Marcellus SROs conducted a presentation last week at the MCS District's workshop for teachers – from all reports, it was quite informative and successful. Also, Chief Wicks has been in discussion with officials at the Jordan-Elbridge Central School District, developing a contract whereby our Village Officer(s) would be assigned as SRO(s) in that School District. This would be an Inter-municipal Agreement and is presently in the hands of the Village Attorney for his review and approval.
- b. 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 – a flyer, similar to that which is available for residents this evening, will accompany the Spring newsletter so as to make all Village residents aware of this concern
- c. 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.
- d. Snow Plowing – of Village sidewalks is completed by the Highway crew. However, there are some sidewalks in the Village that are not Village property, including those that exist on the east side of Maple Street Extension. These are not Village sidewalks, but private property and the Village cannot plow private property. When the Maple Street Extension was constructed, only the road was dedicated to the Village, since the sidewalks were not built at that time. Since that time, these private sidewalks have been maintained by the owners of the property – Crown Mill Associates and the Marcellus Free Library. The Village cannot maintain them since the Village right of way extends only to the road – which was repaired last summer.
- e. Sump Pump Program – will continue throughout the winter months, when the highway crew is not plowing snow – there are about 80 residences in the Village left to inspect and certify and these will be completed in the spring.
- f. Code Enforcement – the new Village Code went into effect on January 15, 2013. Residents should be aware of two new laws in particular – that related to Outdoor Storage and that related to Registration and Inspection of all Rental Properties in the Village. Individual copies of those laws are available for those who wish to examine them in more detail
- g. Sewer Agreement – with School – ends in May 2013, at which time another agreement must be approved.
- h. Sewer Agreement – the revised IMA Sewer Agreement with Town has been submitted to the Town for its review and approval.
- i. 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.
- j. Town Sewer Users' Bills – Paul O'Malley, from OCWA, has provided the Village with the names of those Town residents whose water bills will be utilized for sewer billing – when the new agreement is approved.
- k. Orange Street Pump Station – which has been in operation since 1958, is in serious need of repair. It is hoped that this facility will remain functional until a replacement can be installed in the spring or summer.
- l. Creek Walk Project Update – we have printed a multi-page summary/update of the Creek Walk Project for those so interested and did not receive one at the Public Information Meeting on January 23, 2013. This summary includes a map of the proposed project, background information, as well as the Board's response on the benefits, costs and other concerns that residents may have regarding the Creek Walk Project. In addition, we invite written comment back to the Board by February 6, 2013. The update is also located on the Village website as is the form for providing written comment back to the Board.

- m. SPDES Permit – issued by the DEC has been sent to the Village, along with a directive that we provide Newspaper Publication of an Intent to Modify (unfunded mandate again) the permit so as to meet the new phosphorus limit requirement by 2016.
- n. Televising and Cleaning of Village Sewers – three RFPs have been sent out to bid and should be returned by January 28, 2013. Video inspection should commence in March 2013.
- o. Foreclosure Bills – last year, the New York Assembly joined a number of states that have passed foreclosure bills making it mandatory for banks to provide municipalities with contact information of property managers or other parties responsible for upkeep and maintenance of foreclose or abandoned properties. Our Board is being asked to provide a resolution in support of these bills. We will inquire of our Code Enforcement Officer as to the merits of such a resolution.
- p. Village Elections – a proposal from the Board of Elections to change the date of election from March to November has been received by the Village. The contention is that this would be more cost effective, although Village elections generally cost less than \$500. Since the next village election will not take place until 2014, the Board has decided to examine the proposal in more detail. There is a concern that moving the date of election to November would politicize the elections and make the elections partisan. At present, candidates for Village office do not run on a major political party line, allowing someone to run for office who might otherwise be excluded from running if the elections were partisan. Also, would moving the election cause the Village to move its fiscal calendar to January, and causing residents to have to pay Village taxes at the same time that County and Town taxes are due?
- q. Historic Districts – our last Village newsletter mentioned that Sondra and John Bromka are interested in sharing information about historic homes in the Village. Their phone number and email address are listed in the newsletter, another copy of which is available for residents.
- r. Village Banners – Bob Wilson, who has been the head of this committee since the program's inception, has been hospitalized and is in a rehabilitation center. Soon, a letter will be sent out to those who are participating in the program to explain the situation and to assure them that the new banners will be hung in the spring.
- s. Olde Home Days – May 31st, June 1st and June 2nd
- t. Other – Time Warner is raising its rates by 2.6% on average, beginning March 1, 2013. Village Attorney noted that a court-enforced schedule of repairs of code violations has been prepared for Valley Apartments and appropriate penalties to be imposed by the court if they are not met.

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 Jo Paul inquired how much it will cost the Village when it becomes mandatory for the Village to use County owned scanning machines for Village elections. Mayor Curtin explained that the Village has until the end of 2014 to use the lever style machines. A cost analysis was done a couple of years ago. The comparison reflected that it cost much less for the Village to run its own election at that time. Mayor Curtin will look at the latest proposal from the County in more detail. There was also continued discussion on fiscal vs. calendar year and the possibility of Village residents having to pay Village taxes at the same time as County and Town taxes are due if the Village changes to calendar year. 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 7:18 p.m.

Dawn M. O'Hara, Village Clerk