

**REGULAR MEETING OF THE VILLAGE BOARD
OF THE VILLAGE OF MARCELLUS HELD ON
FEBRUARY 25, 2013 AT THE VILLAGE HALL**

PRESENT: John P. Curtin, Mayor See List
Patrick W. Cox, Trustee
Sara N. 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 January 2013. The bills on Abstract Sheets #009 for General Fund in the amount of \$27,936.12, Sewer Fund in the amount of \$18,811.51, Capital Funds in the amount of \$5,074.30 were audited. The bills totaled \$51,821.93. The Board received the Police Report from Chief Robert Wicks for January 2013. The Board also received the Building Inspectors report for the month of January 2013 from Building Inspector Bill Reagan. The Board acknowledged receipt of the minutes of the Town Board meetings for January 2013. The financial statements as submitted by Village Treasurer Nino Provvidenti for January 2013 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.

PHOSPHORUS (REPRESENTATIVE)

RESOLUTION: Trustee Tallman made a motion to approve a resolution that authorized Mayor John Curtin to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Village of Marcellus' obligations under the Engineering Planning Grant Agreement. 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.

PHOSPHORUS (MATCHING FUNDS)

RESOLUTION: Trustee Cox made a motion to approve a resolution whereby the Village of Marcellus authorizes and appropriates a minimum of 20% local match as required by the Engineering Planning Grant Program for the WWTP Evaluation Project. Under the Engineering Planning Grant Program, this local match must be at least 20% of the total project cost. The maximum local share appropriated subject to any changes agreed to by the Mayor shall not exceed \$7,500, based upon a total estimated maximum project cost of \$37,500. The Mayor may increase this local match through the use of in kind services without further approval from the Village of Marcellus. The motion was seconded by Trustee Tallman. 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.

PHOSPHORUS

SEQR: Trustee Tallman made a motion to authorize the Mayor to sign the completed Short Environmental Assessment Form for the WWTP Evaluation Report, indicating that the action does not exceed any Type I threshold, and would not result in any significant adverse environmental impacts. The motion was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on the SEQR. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

PHOSPHORUS (SEQR DETERMINATION)

RESOLUTION: Trustee Cox made a motion to approve a resolution, whereby certain actions identified in subdivision (c) of the State Quality Environmental Review Act are not subject to environmental review under the Environmental Conservation Law, the Village of Marcellus hereby determines that the proposed WWTP Evaluation Report Project is a Type II action in accordance with 6 NYCRR Section 617.5(c) and is therefore not subject to review under said part. The motion was seconded by Trustee Tallman. 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 motions carried.

PHOSPHORUS

BUDGET:

Trustee Tallman made a motion to approve the Engineering Planning Grant Program Project Budget and Plan of Finance. The motion was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on the EPG budget. Mayor Curtin called for a vote. All board members voted aye and the motion carried.

AUTHORIZE B&L

CDBG DESIGN: Trustee Cox made a motion to authorize Barton & Loguidice to complete the engineering design, bid and construction phases for sewer reconstruction on Scotch Hill, at a cost of \$16,100. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the agreement with B & L. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motions carried.

MRB – VIDEO INSPECTION

SERVICES: Trustee Tallman announced that as part of the \$600,000 sewer consolidation grant, the Village hired Jamko Technical Services of Lyons, NY to clean and televise the sanitary sewer lines located in an area of the Village, from Bradley Street, near Marcellus Park, to North Street, near the High School, as well as Meadow Street, utilizing the utility easements that the Village has had in place since the pipes were originally installed. It is expected that the work will be completed by the end of February, at a cost of \$9,400, and will enable our engineers to determine what repairs are necessary for sewer infrastructure in this area.

FORECLOSURE

RESOLUTION: Trustee Cox made a motion approve a resolution in support of Assembly Bill A.88 and Assembly Bill A.824, currently pending, which would make it mandatory for lending institutions to provide municipalities with contact information of property managers or other parties responsible for upkeep and maintenance of vacant, foreclosed or abandoned properties. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the requests to the resolution. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motions carried.

BUDGET

MODIFICATIONS:

Trustee Tallman made a motion to approve budget modifications requested by the Village Treasurer transferring revenues and appropriations in the General, Water 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 made note of the list of those meetings scheduled for March and April 2013, which is provided for those so interested. Please note also that two public hearings are scheduled prior to our regular Board meeting in March, and that there are several budget meetings planned for March as well. The Village Offices will be closed on Friday, March 29th for Good Friday and that the Annual Meeting and Tentative Budget Hearing will take place on Monday, April 1, 2013 in the Village Board Room.

Updates by the

Mayor:

Mayor Curtin provided updates on the following subjects:

- a. Police Updates – Chief Wicks continues to be 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. In addition, Chief Wicks wants to make sure that all residents lock their autos and houses. Recently, both in the Village, but also on the periphery of the Village, in particular, there have been burglaries – particularly into unlocked automobiles, and property (GPS, other electronics and pocketbooks) has been stolen. Our village officers have recovered much of this and have made arrests of several area residents. Virtually all of these thefts have taken place because autos have been left outdoors and unlocked. If the cars are locked, the thieves usually move on. It might also be noted that there are only two sheriff's patrols at night, covering the entire southern and western parts of the county, and our Village officers are to be commended for their efforts in providing police service, not only for Village residents, but also for those who live on the periphery of the Village but pay no taxes.
- 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 streets and sidewalks by our highway department has again been exemplary. The Board would like to commend members of the department for all of their dedicated work, often in miserable conditions, often while the rest of the Village sleeps. Their dedication to task is truly excellent.
- e. Sump Pump Inspection Program – will continue and it appears to have been successful in that our annual flow at the WPCP for the current year averaged 222,000 gpd. Last year the annual flow was over 95% of our design limit, averaging 390,000. Dry weather helped to contribute to this decrease, but so too

- did the sump pump disconnect program, according to the Chief Operator at the plant.
- 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. Enforcement of the Rental Registration and Inspection Law will begin in earnest in the spring and those owners, whose properties were not subject to inspect in the past, will be notified in the near future of the intent to begin registration and inspection.
 - 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 – when the new sewer agreement with the Town is approved, plans will be developed for the billing of Town sewer users by the Village, utilizing water bills provided by the Onondaga County Water Authority.
 - k. Orange Street Pump Station –has been in operation since 1958, and v 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 – 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 is still available. 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, the Village has received a number of written comments regarding the Creek Walk Project, most of which are very positive. These are on file in the Village Office and are available for public inspection.
 - m. Televising and Cleaning of Village Sewers – should now be complete, but there are some other areas in the Village that might require a video inspection, particularly Park Street and perhaps Bradley Street.
 - n. Village Banners – Bob Wilson, who has been the head of this committee since the program's inception, has been hospitalized for much of the winter. He is now home and is in the process of finalizing the banner program for those who are participating. He expects that all of the banners should be hung by April 1, 2013.
 - o. Olde Home Days – May 31st, June 1st and June 2nd
 - p. Budget – the Village Board has begun to work on its 2013-14 Budget and at first glance, it appears that things are still somewhat stagnant at the Village level. In January, Village residents received their County and Town tax bill and that bill reflected a tax reduction for Village residents, on average about \$30 for a house valued at \$100,000 in the Village. The County, similar to last year, has been able to drop that tax because the County, which having slashed by more than half, the sales tax revenue that used to go to the Village, was then able to pass on those tax savings to Village property owners in the form of reduced County taxes. Ever since, the Village has had to make up for the revenue taken by the County and then passed onto Village property owners in the form of reduced County taxes. This year will be no different, and the savings that Village residents saw in their County tax bill will be offset, most likely, by an increase in Village taxes – about \$30 for a house valued at \$100,000 in the Village.
 - q. Property Tax Cap – our Budget is also complicated by the property tax cap of 2%, another recent State mandate, and at our March Board meeting, the Board will probably vote to override the tax cap. 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 penalties 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, however, for the Village to plan or even survive. Therefore, the Village will most assuredly vote to override the tax cap next month.
 - r. Time Warner Cable –is raising its rates by 2.6% on average, beginning March 1, 2013, and residents should have received notice of this by U.S. Mail. Many residents have also noticed that over the past several months that many standard cable channels have changed or disappeared altogether. Residents were notified of this in September 2013, but need to call Time Warner Customer Service (1-855-286-1736) to order a digital adapter to correct this situation. There should be no cost associated with this adapter until January 2015 when a cost of .99 cents/month rental fee will be added to a resident's bill.

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 asked approximately how much it will cost the Village to comply with the phosphorus removal mandate. Mayor Curtin informed those present that the projected cost to install new clarifiers to meet the mandate is projected at \$2,000,000 and needs to be fulfilled by 2016. Peg Nolan asked for more details about the proposed SRO agreement between Jordan-Elbridge School District and the Marcellus Police Department. Mayor Curtin let everyone know that the SRO program in Marcellus Schools has been in place for several years and has been extremely successful. Mayor Curtin explained that, for these reasons, Chief Wicks was contacted by Jordan-Elbridge School Superintendent and asked if the Chief would be interested in providing a police officer to serve as School Resource Officer for the JE School District. Chief Wicks developed a proposed Inter-Municipal Agreement and is waiting for approval. Similar to the Agreement between Marcellus Schools and the Marcellus Police Department, the Village will not incur any of the costs associated with the contract. Mary Jo Paul asked what the status of the Creekwalk was. Mayor Curtin let her know that the bond money for the project will be available shortly and that the State is drawing up an agreement with the Village whereby the State will acquire the property for the Village. Mary Jo also inquired if the specific area where the trail will end and connect to Main Street had been approved by the NYSDOT. Mayor Curtin let her know that the final design had not yet been submitted and that there are aspects that still need to be addressed before sending the final design to the State for approval. Several options as to where the trail will come out to meet Main Street and connect to the sidewalk were discussed. Also discussed were options as to the location of the actual sidewalks in front of McClurg's property and parking location options. Mary Jo also inquired as to how many illegal sump pump hook-ups had been found in the village and town during the recent inspections. Both Mayor Curtin and Trustee Tallman explained that many of the illegal sewer hookups were corrected by property owners prior to the being inspected by the Village. As a result, the Village will not have an accurate idea as to how many illegal hookups there were preceding the mandatory inspections. It was recommended that inspections or even surprise inspections be performed every couple of years. Mary Jo wanted to know if the capacity at the plant decreased enough, would there be a possibility of additional development within the village. Mayor Curtin said that it may be a possibility. 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 7:28 p.m.

Dawn M. O'Hara, Village Clerk