

**REGULAR MEETING OF THE VILLAGE BOARD
OF THE VILLAGE OF MARCELLUS HELD ON
JUNE 24, 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.

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

**ADOPT
LL #2 OF
2013:**

Trustee Cox made a motion to approve Local Law #2 removing the authority of the Village Board to grant special use permits for the housing of certain animals, and to limit the number of dogs that may be housed within the limits of the Village to four (4). Any more than four dogs would constitute a kennel and would be illegal. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on adopting Local Law #2 of 2013. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**ADOPT
LL# 3 OF
2013:**

Trustee Tallman made a motion to approve Local Law #3 which would restrict vehicular parking on front lawns in residential areas. The motion was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on adopting the local law. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**CONSENT
AGENDA:**

The Village Clerk submitted the minutes of the special meetings and regular board meeting for the month of May 2013. The bills on Abstract Sheets #013 & 001 for General Fund in the amounts of \$16,453.29 & 58,884.12, Sewer Fund in the amounts of \$4,506.61 & 14,101.58, Capital Funds in the amounts of \$23,127.38 & 975.00 and Trust & Agency in the amount of \$0.00 and \$29.98 were audited. The bills totaled \$44,087.28 & 73,990.68. The Board received the Police Report from Chief Robert Wicks for May 2013. The Board also received the Building Inspectors report for the month of May 2013 from Building Inspector Bill Reagan. The Board acknowledged receipt of the minutes of the Town Board meetings for May 2013. The financial statements as submitted by Village Treasurer Nino Provvidenti for May 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.

**INSURANCE
PROPOSAL:**

The Board decided to renew the Village Insurance proposal with the Reagan Agency of Marcellus. The Board increased the property deductible from \$1,000 to \$2,500, and reduced the Non-Monetary limits, that might occur in a lawsuit, in order to save money. An increase in the premium was caused by the addition of a new vehicle to our list of insured. Trustee Tallman made a motion to award the contract for Village Insurance in the amount of \$25,174.00 to the Reagan Agency, representing an increase of \$536.00. The motion was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on the insurance proposal. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**WILLIAMSON
LAWBOOK SOFTWARE**

CONTRACTS: Trustee Cox made a motion to approve annual software support contracts with Williamson Law Book Company for municipal accounting (\$907.50), tax billing (\$385.00), refuse/sewer billing (\$847.00), and payroll (\$84.007), totaling \$2,986.50, a 0% increase over last year. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the software contracts. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motions carried.

**AMEND EMPLOYEE
HANDBOOK-EEO
POLICY:**

Trustee Tallman made a motion to amend the Employee Handbook so as to add an Equal Employment Opportunity Policy. The policy shall read: the Village of Marcellus is an Equal Opportunity Employer. The Village of Marcellus fully complies with all EEO laws, rules, and regulations. Accordingly, the Village of Marcellus promotes equal opportunity and prohibits unlawful discrimination in employment with regard to race, color, religion, creed, sex, age, national origin, citizenship (18 and up), non-disabled or disabled veteran status, marital status, pregnancy, disability or medical condition, arrest record or political affiliation or belief, and all other categories protected by federal, state and local discrimination laws. The County of Onondaga maintains a position of Human Rights Specialist to facilitate Equal Employment Opportunity. Questions pertaining to Equal Employment Opportunity should be directed to the Onondaga County Human Resources Department. The motion was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on policy. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**RESOLUTION –
MWBE/EEO
POLICY:**

Trustee Cox made a motion to adopt the following resolution: Whereas the Village of Marcellus will from time to time enter into state contract so as to carry out certain projects, Now Therefore be it resolved by the Board of Trustees of the Village of Marcellus, that the accompanying Minority and Women-Owned Businesses (M/WBE) and Equal Employment Opportunity Policy (EEO) is hereby adopted as it relates to state contracts. A copy of the resolution and policy is on file in the Village Office for public inspection. 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.

**RESOLUTION -
NOTICES OF
CLAIM:**

Trustee Tallman made a motion to approve a resolution in support of the Uniform Notice of Claim Act, recently signed into law by Governor Cuomo, which amended New York's General Municipal Law to allow notices of claim against villages to be served on the New York Secretary of State as agent for New York's public corporations. Pursuant to the Act, the New York Department of State will forward any notice of claim served on it to the individual the village designates to receive the notices of claim. A copy of the resolution is on file in the Village Office for public inspection. 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.

**PROCLAMATION –
HUGH NORRIS:**

Trustee Cox made a motion to approve a proclamation posthumously recognizing the outstanding achievements of Hugh Norris, longtime resident of the Village of Marcellus. The Board extended its deepest sympathy to the family of Mr. Norris. The motion was seconded by Trustee Tallman. 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 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. At this point, due to another commitment, Trustee Cox was excused from the rest of the meeting.

**ANNOUNCE
VILLAGE
MEETINGS:**

Trustee Tallman announced that the Village Clerk had printed copies of future meeting dates of the Boards of the Village for the benefit of residents. She made special note of the July 4th holiday and let everyone know that the Village Office will be closed, and that there will not be a delay in trash pickup that week. In addition, the *Teal There's A Cure Run/Walk* takes place on the 4th of July, beginning at 9 a.m. in Marcellus Park. The Village-wide Garage Sale will take place on Saturday, July 13th. A permit will not be needed on that day for Village residents. A flyer was printed to remind residents that July is Battery Collection Month. Trustee Tallman also mentioned that the Marcellus Community Band Concert will take place at Marcellus High School on Wednesday, July 24th beginning at 7 pm at the High School. Also, there are a number of Summer Community Events at Marcellus Park – Thursday nights from 7 – 8:30 p.m. at the Annex Pavilion. Concerts are free and appropriate for the entire family. The Board also urged residents to visit the Marcellus Open Air Market before the concert. A flyer listing these activities has been printed for those who wish to take one.

Updates by the Mayor:

Mayor Curtin provided updates on the following subjects:

- a. Creekwalk – a second cultural resources report has been completed, added to the Design Report and submitted by B & L Engineers to the NYSDOT for its approval. Once the NYSDOT has given Design Approval, and an agreement has been signed with the Village, acquisition of the rights-of-way by the NYSDOT will begin – probably during the summer and fall of 2013. Through the winter of 2013, planning will continue and it is expected that bidding for and construction of the trail, extending from Marcellus Park to Main Street, will take place in the spring of 2014.
- b. Compost Project – is fully operational. An Open House was held in May, complete with a tour of the facilities and distribution of compost to all sewer users. Continued distribution of compost takes place at the Treatment Plant, Monday thru Friday, 8 a.m. to 3 p.m.
- c. Olde Home Days – was successful, despite some rain – last month we thanked a number of people for their efforts in helping to beautify the Village flower boxes in time for Memorial Day and Olde Home Days. We also thank our Highway Department for the work they did in helping to beautify the Village in time for these special events, as well as the Village Police Department, to whom we give much credit for no vandalism or other serious problems during the weekend.
- d. Sidewalks – selective repairs on South Street and Chrisler Street are completed during the summer months.
- e. Street repairs – to Chrisler Street, Park Street and Kelly Avenue are being planned for this summer.
- f. Trees – some tree removals have been or will be done on Bradley, Chrisler and Maple Streets. There is not much in the budget for new trees but we do intend to use some of those grown at the treatment plant nursery.
- g. Sewer Consolidation Grant – meetings have been held throughout the winter and spring months to plan for the repair of sanitary sewer infrastructure in and eventual consolidation of the Village, Town and School sewer districts. Having completed a flow management plan as well as televising and cleaning of sewer lines, representatives of the Village, Town and School District have determined priorities, authorized surveying and additional engineering. Construction will take place this summer and include:
 - i. Surveying – the Village has authorized a surveyor to update much of the surveying necessary for the sewer reconstruction project. Please be aware of this activity during much of the summer.
 - ii. Scotch Hill – sewer rehabilitation will take place during the latter part of June and early July. The relining of sewer pipes as well as several sewer pipe replacements will take place. Residents should not be too inconvenienced by this work, and the contractor will contact those whose service might be affected.
 - iii. Meadow Street – sewer rehabilitation will also take place in July, and again, residents should not be greatly inconvenienced by this work.
 - iv. Other sewer construction – is also being planned in the Village, Town and on School property, replacing sewer mains, re-lining sewer pipes and replacing the Orange Street pump station.
- v. Flooding – despite a great deal of rain in June, the waste water treatment plant has not exceeded its design standard, a tribute to the fact that our sump pump removal and other efforts have been effective. There has been some flooding in some residential backyards, particularly on South Street, where overflow from Coon's Pond has been in evidence. This is a trouble spot which will have to be addressed, following televising and perhaps relining of the pipe. In addition, backyard flooding on the southern side of Reed Parkway has been and will continue to be addressed, again with televising and cleaning of storm drain pipes that take water from the hills above through the Village to Nine Mile Creek.

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. Ryan Hoey of First Street requested that the Board remove a Silver Maple tree located on village property on Meadow Street on the corner of First and Meadow Streets. There are two trees on Meadow Street that were missed when a number of Silver Maples on First Street were removed a few years ago because of the trees being hollow in the middle and in danger of falling down. Ryan expressed to the Board that the first of the two trees on Meadow needs to be taken down. Mayor Curtin informed Ryan that he would examine the tree and get back to him. Ryan also asked about the sewer and drainage work that is scheduled for Meadow Street. He wanted the Board to

know that the storm drain next to his house could not take any more water due to all of the drainage coming from up above, especially if the drain on Kent's property get blocked and requested that any additional storm drains as part of the Meadow Street project not be connected to the drain in front of his residence. Mayor Curtin said the Village would probably not be able to connect to any other drain but expressed that if the drainage structure above his house on Kent's property was improved, it may take care of the problem. Mary Jo Paul informed the Board about a program called START-UP NY whereby participating business will not pay any taxes (e.g. business/corporate taxes, sales taxes and property taxes) for 10 years and employees in participating businesses will not pay income taxes for the first five years. In order to locate into a START-UP NY tax-free community, a business must be aligned with or further the academic mission of a campus, college or university sponsoring the tax-free community, specifically, Mary Jo mentioned, Onondaga Community College. Businesses participating in the program will need to have positive community and economic benefits. Every business must create and maintain new jobs in order to participate. Mary Jo mentioned the prospect of marketing the Marcellus community and therefore obtain the benefits of the program. Mary Jo also mentioned a grant program called Local Government Performance Efficiency. Mayor Curtin thanked Mary Jo for all of the information and 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 Mayor Curtin. Mayor Curtin called for a vote. Mayor Curtin and Trustee Tallman voted aye and the motion carried. Mayor Curtin thanked everyone for coming to the meeting.

The Regular Board Meeting was adjourned at 7:31 p.m.

Dawn M. O'Hara, Village Clerk