

**REGULAR MEETING OF THE VILLAGE BOARD  
OF THE VILLAGE OF MARCELLUS HELD ON  
MAY 19, 2014 AT THE VILLAGE HALL**

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

**ABSENT:** Patrick W. Cox  
Jeff Brown, Attorney

Pledge of Allegiance.

Mayor Curtin opened the regular board meeting at 7:00p.m. Mayor Curtin informed the public that Trustee Cox was on military duty and unable to attend the board meeting.

**CONSENT**

**AGENDA:** The Village Clerk submitted the minutes of the regular board meeting for the month of April 2014. The bills on Abstract Sheets #012 for General Fund in the amount of \$15,388.42, Sewer Fund in the amount of \$7,822.07, and Capital Funds in the amount of \$131,379.75 were audited. The bills totaled \$154,590.24. The Board received the Police Report for April 2014 from Police Chief Robert Wicks. The Board also received the Building Inspectors Report for the month of April 2014 from Building Inspector Bill Reagan. The Board acknowledged receipt of the minutes of the Town Board meetings for April 2014. The financial statements as submitted by Village Treasurer Nino Provvidenti for April 2014 were given to the Board for their review. Trustee Tallman made a motion to approve the consent agenda. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the consent agenda. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

**DRIVING POLICY**

**REVIEW:** Mayor Curtin explained that because the safety and well-being of Village employees, as well as that of the residents is very important to the Village, the Board of Trustees desires to protect employees and community members while on the road. Mayor Curtin made a motion to again accept, after review without revision, the Village of Marcellus Driving Policy, originally adopted May 20, 2013. Mayor Curtin also mentioned that a copy of the policy is on file in the Village Office. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the policy. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

**RELEVY OF  
UNPAID SEWER**

**BILLS:** Trustee Tallman made a motion have the outstanding utility bills (refuse and sewage) re-levied to the Village of Marcellus property tax bills. The total amount being re-levied to the taxes was \$45,533.15. As a point of interest, Trustee Tallman mentioned that the amount re-levied in 2013 was \$49,517.33, in 2012 was \$42,002.66, in 2011 was \$61,015.78, in 2010 was \$70,710.05 and in 2009 was \$79,229.85. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the relevy. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

**POLICE OFFICER  
RESIGN/REINSTATE:**

Mayor Curtin made a motion to confirm, following his resignation from the Marcellus Police Department on May 16, 2014, the reinstatement of Robert H. Pitman as a Police Officer in the Village of Marcellus, effective May 20, 2014. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the resignation or reinstatement. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

**17 NORTH ST.-  
SEWER BILL**

**REQUEST:** Trustee Tallman mentioned that the Board had received a request from the property owner at 17 North Street and 3-7 North Street to reduce the number of billing units. The Board will review the request in more detail when a full Board convenes and make its decision. Trustee Tallman also explained that currently the Village Board is also concerned that the property owner does not show more interest in maintaining the properties, as well as concern for keeping up with the utility and tax charges that have been, for years, so often ignored by the property owner. The Board noted that taxes on both properties mentioned above are and have been long delinquent. The taxes on 17 North Street amount to \$50,688.14 and at 3-7 North Street amount to \$5,174.87. The figures do not include current taxes or charges.

In addition, taxes and utility charges are delinquent on other Village properties owned by the same group, including:

4 East Main Street – delinquent taxes amount to \$16,941.75

8-12 West Main Street – delinquent taxes amount to \$33,942.47

20-22 West Main Street – delinquent taxes amount to \$54,354.13

71 North Street – delinquent taxes amount to \$134,558.34, which was the cost for the Village to demolish the lower Crown Mill several years ago.

The property owner is current with all County, Town and School taxes. Village taxes and utility charges have been left unpaid. The Board considers this disrespectful as well as a blatant disregard for the Village.

Trustee Tallman also said that, while the Board realizes that the Village and its residents are eventually reimbursed by the County for delinquent taxes, the Village has to wait a year, every year it appears, for compensation to occur. It seems unfair, particularly to property owners who pay their taxes and utility charges on time, and do not have them relieved, year after year after year. In the meantime, the properties in question suffer from what might be termed “demolition by neglect”. The Village Board has received numerous complaints from residents and visitors that the properties are often vacant or papered over, or lacking proper maintenance, with little or no apparent interest in making improvements or seeking tenants for the properties.

Trustee Tallman then made a motion to defer the appeal for billing changes for the properties located at 17 North Street and 3-7 North Street until such time as the Board is able to make a full review of the appeal. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on deferring the request. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

#### **ANNUAL STORMWATER**

##### **REPORT:**

Mayor Curtin made a motion to accept the Annual Storm Water Report completed by the Storm Water Designee and to keep a copy on file in the Village Office as well as on the Village web site for public viewing. Mayor Curtin thanked Bill Reagan and Kurt Field for their completion of the lengthy report. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the report. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

#### **LITTER REMOVAL – NORTH ST.**

##### **RESIDENCE:**

Trustee Tallman informed the public that the Village Code Enforcement Officer had informed the Board that the owner of the property at 52 North Street had allowed the accumulation of outdoor litter on his property, including but not limited to cardboard, discarded furniture, appliances, scrap wood, damaged auto parts and wood pallets. The property owner is an absentee landlord and the CEO asked the Board to approve having the Village Highway Department or an independent contractor remove the litter if the owner does not answer the violation. Trustee Tallman made a motion for the Board to approve the request of having the Village remove the litter and re-levying the cost of this removal to the taxes of the property owner if the litter is not removed by May 25, 2014. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the litter removal. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

#### **WORKERS COMP.**

##### **CONTRACT:**

Mayor Curtin made a motion to authorize the Mayor to sign a one-year agreement with PERMA, the Public Employer Risk Management Association, which will provide workers' compensation and employers' liability for the Village of Marcellus. The one-year agreement will cost the Village \$24,894.00, which includes a New York State Assessment of \$1,307. Mayor Curtin also noted that the State of New York mandates the base rate for the employer and has mandated that the weekly benefit for injured employees be \$750 per week, a recent increase by the State from \$400 per week. This mandate drives up the cost of coverage, despite the fact that the Village has an excellent record with regard to not having claims. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the contract. Hearing none, Mayor Curtin called for a vote. Both 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 Mayor Curtin. Mayor Curtin asked if there was any discussion on the budget modifications. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

## ANNOUNCE

### VILLAGE:

#### MEETINGS:

Mayor Curtin announced that the Village Clerk had printed copies of future meeting dates of the Village for the benefit of residents. Mayor Curtin made special notification of the upcoming Marcellus Olde Home Days, which are sponsored by the Village and Town of Marcellus and are scheduled for June 6, 7 and 8, 2014. He also mentioned that the Village Office will be closed for the Memorial Day Holiday and Parade on May 26<sup>th</sup> and for Independence Day on July 4<sup>th</sup>. Also, a Village-wide garage sale is planned for Saturday, July 12, 2014 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. Code Enforcement – the Marcellus Laundromat continues to make repairs to its building on East Main Street and there are several other properties where maintenance issues are being examined as well.
- b. WPCP Open House – on Saturday, May 17, 2014, an Open House at the Village of Marcellus Composting Facility was held. Tours of this environmentally responsible facility began at 9 a.m. and ended around noon. The operators were available to answer questions and to help load compost for residents. Trees, grown by operators at the plant nursery, were also available on a first-come-first-serve basis. For residents who cannot pick up compost during normal business hours, call the Treatment Plant (673-4491) to make an appointment with one of the operators.
- c. SRO Contract – with the Marcellus Central School District has been completed and is in the hands of the Marcellus School Board. Details of the contract, which will provide three (3) Village police officers (SRO) on the Marcellus Central School Campus, are provided in the agreement, and may be subject to slight change before final approval by both parties.
- d. Report from Chief Wicks – an incident regarding a security threat at the Driver Middle School made headlines last week. Most residents were probably familiar with that incident in which two juveniles were suspected of conspiring to bring a gun to school. The incident was handled very well by SROs Hayes, Scanlon and Smith, who determined that the threat was credible. Chief Wicks noted that the situation was brought to a successful conclusion and that school officials and local law enforcement collaborated in a manner, which ensured that the situation received the utmost attention and priority and that the school district had taken appropriate action. On behalf of the Village Board, Mayor Curtin publically commended Chief Wicks and especially the School Resource Officers for their efforts and concern, without which the situation could have had a much more a life-threatening outcome. It also speaks volumes as to the necessity of having officers in the school and the Village Board also commended the Marcellus School Board for continuing to approve funding for the very vital program.
- e. Sewer Consolidation Grant Project – the final construction phase of the project, crossing North Street and replacing sewer lines in the back of North Street, has been completed. The replacement of the Orange Street Pump Station and several other repairs in the Town Sewer Districts will be the final parts of the project – sometime this summer. The Board publically thanked North Country Construction for the excellent work that had been done by the company during that phase of the project. Hopefully, by the end of 2014, construction will be complete and the consolidated system will be a reality.
- f. Scotch Hill Project – with funding having been approved recently, it is anticipated that granite curbing on the south side of Scotch Hill Road, from North Street to the Village line will be installed this summer, eliminating roadway and drainage deficiencies, as well as creating additional green space and snow storage between the street and the sidewalk. It is also anticipated that monies will be available next year from Community Development in order to install new 5-foot sidewalks on Scotch Hill Road from North Street to the Village line. It became necessary to split the project into two separate phases because of the uncertainty of funding and in June an informational meeting will be conducted for residents and property owners of Scotch Hill Road to make them aware of the project.
- g. Meeting with DEC – a meeting was recently held in the Village Office with officials from the NYSDEC to discuss the state mandate that requires removal of phosphorus from the Village's treatment plant's effluent. Since the Village is under a deadline to implement the mandate by 2016, an engineering design plan was developed in the last year, using a grant of \$30,000 provided by the NYSEFC. The design calls for the expenditure of over \$5 million to treat phosphorus removal (2/3) as well as other upgrades (1/3) to the plant. The meeting held on May 14, 2014 also revolved on how the Village will obtain grants to pay for such a project. If monies cannot be found, this mandate could bankrupt the Village. The Board is hopeful that the deadlines might be extended and that the phosphorus removal mandate be revisited, especially in light of the

fact that Onondaga Lake has shown marked improvement in the levels of phosphorus in the lake.

- h. Benches, banners and flags – have been installed. The Board offered many thanks to the highway department for installing the benches, banners and flags. Mayor Curtin also thanked the Banner and Flag Committee, headed by Bob Wilson, and Village Clerk, Dawn O’Hara, for all of their efforts in helping to beautify the Village.
- i. Key Bank Employees – last week, employees from Key Bank spent some time helping beautify the Village as part of their “Neighbors Make A Difference” campaign. This was an excellent example of community involvement and the Board thanked Key Bank and its employees for their help in composting a number of the flower beds on Main Street.
- j. Memorial Day – parade and ceremonies are planned for Monday, May 26<sup>th</sup>. The Board urged residents to plan to attend the annual event.
- k. Marcellus Murals – the third mural is being completed by students at MCS. It is expected that it will be installed on the Alvord House building in time for the Memorial Day celebration, after which it will be publically unveiled.
- l. Olde Home Days – is planned for June 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> in the Village and Town. The Board urged resident participation.
- m. Sidewalks – per the Highway Chief’s recommendations, repairs will be made to selected areas on Slocombe Avenue, Bradley Street and First Street pending budgetary concerns.
- n. Street repairs – on Hillside Drive, Baker Ave, Orchard Circle and Highland Circle are being planned for this summer, per the Highway Chief’s recommendations – also several catch basins to repair.
- o. Trees – per the Highway Chief’s recommendations, several trees on First Street, Main Street and Meadow Street will be removed – there is not much money designated in the budget for new trees, but the Board might be able to plant several of those that have been grown at the WWTP, on side streets.
- p. Flower Boxes – the Village Board publically thanked Kathy Welsh, Bill Manchocci, the Marcellus Garden Club and the many volunteers who grew and planted the flowers that will grace the Village flower boxes. The Board also thanked the Highway Department for their efforts in getting the boxes ready and installing them, as well the Treatment Plant operators for providing the compost from the Plant for the flower boxes
- q. Village Web Site – Mayor Curtin called attention to the Village website, which Bill Reagan regularly updates for the Board. The site highlights not only usual information about the Village, but also timely announcements that are of interest to the residents.
- r. Planning Board – is reviewing several developments in the Village, including the redevelopment of 8 Paul Street, and the Pucker Street Bike Shop on North Street.
- s. Creekwalk – The project is continuing to move forward. It is expected that rights of way will be secured this summer in time for construction this fall. Mayor Curtin mentioned that there may be some residents who are not familiar with the project. The Board urged everyone to check out the home page – <http://villageofmarcellus.com/>

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 asked if there were any items from the floor. Town Supervisor Mary Jo Paul mentioned that it would be nice for the Town and Village Boards to walk together in this year’s Memorial Day Parade. Mayor Curtin concurred. Mayor Curtin asked if there were any further comments from the public. Hearing none, Mayor Curtin asked for a motion to adjourn the meeting. Trustee Tallman made the motion to adjourn, seconded by Mayor Cox. Mayor Curtin called for a vote. Both board members voted aye and the motion carried. Mayor Curtin thanked everyone for coming to the meeting.

The Regular Board Meeting was adjourned at 7:20 p.m.