

**REGULAR MEETING OF THE VILLAGE BOARD  
OF THE VILLAGE OF MARCELLUS HELD ON  
FEBRUARY 23, 2015 AT THE VILLAGE HALL**

**PRESENT:** John P. Curtin, Mayor See List  
Sara N. Tallman, Trustee  
Patrick W. Cox, Trustee  
Jeff Brown

**ABSENT:** None

Pledge of Allegiance.

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

**CONSENT  
AGENDA:**

The Village Clerk submitted the minutes of the regular board meeting for the month of January 2015. The bills on Abstract Sheets #009 for General Fund in the amount of \$23,437.91 and Sewer Fund in the amount of \$11,096.43 were audited. The bills totaled \$34,534.34. The Board received the Police Report for January 2015 from Police Chief Robert Wicks. The Board also received the Building Inspectors Report for the month of January 2015 from Building Inspector Bill Reagan. The Board acknowledged receipt of the minutes of the Town Board meetings for January 2015. The financial statements as submitted by Village Treasurer Nino Provvidenti for January 2015 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.

**TIME WARNER FRANCHISE**

**AGREEMENT:** Trustee Tallman made a motion to again table the Time Warner Cable Franchise Agreement until the Village Attorney has been able to negotiate successfully, the terms of the agreement, with Time Warner Cable. The motion was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on tabling the agreement again. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**AUTHORIZE B&L –**

**COMM DEV.:** Trustee Cox made a motion to authorize Barton & Loguidice to complete the 2015 Community Development Block Grant (CDBG) Application. It should be noted that there has been a change recently in the maximum grant allowance from \$100,000 to \$50,000. 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.

**REAFFIRM PDD**

**8 PAUL ST.:** Trustee Tallman made a motion to reaffirm the Planned Development District for Paul Street as outlined in Local Law #3 and approved on July 28, 2014. The motion was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on the review of the Employee Handbook. 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 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. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**ANNOUNCE  
VILLAGE**

**MEETINGS:** Trustee Tallman announced that a list of meetings scheduled for March 2015 had been provided for the public and asked residents to please note that the third meeting of the Olde Home Days Committee, 2015, would take place on Thursday, March 5, 2015 in the Village Board Room. Also that a public hearing on Community Development is scheduled prior to the March regular Board meeting and that there were several budget meetings planned for March as well. She also mentioned that the Annual Meeting and Tentative Budget Hearing would take place on Monday, April 6, 2015 in the Board Room.

**Updates by the Mayor:**

Mayor Curtin provided updates on the following subjects:

- a. Police Updates – Chief Wicks wanted to emphasize the importance of all residents continuing to lock their autos and houses. Last year around this time, both in the Village, and also on the border of the Village in particular, there were burglaries – particularly into unlocked automobiles, and property (GPS, other electronics and pocketbooks) was stolen. Virtually all of the thefts took place because autos were left outdoors and unlocked. If the cars are locked, the thieves usually move on. It should be noted that there are only two sheriff’s patrols at night, covering the entire southern and western parts of the county, and the 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 edge of the Village but pay no taxes.
- b. Flushable Wipes – the Board mentioned last year, products called “flushable wipes” have been recently introduced to the market. The Treatment Plant operatives have indicated that the wipes are not “flushable” and are causing sewer backups in the village on residential properties. A review by Consumer Reports confirmed that these wipes do not break down and will create sewer backups. If you are using these wipes, please do not flush these wipes down the toilet. They should be discarded into the trash. If the wipes are flushed and cause a sewer backup, residents will probably need to contact a plumber since the backup will occur on residential property.
- c. F.O.G. (Fats, Oils, Grease) – in the wastewater is a topic that the Board continues to address at every Board meeting. It is a major concern and the Board continues to urge residents to become continually aware of the problems associated with grease in the sewer system. The Treatment Plant operators urge residents to scrape grease and food scraps from cooking surfaces into a container and put in the trash or compost them. Do not put grease, fats or oils of any type down the drain or garbage disposal. Do use baskets or strainers in sink drains to catch food scraps and other solids – and then empty them in the trash for disposal. There continues to be an increase of calls from residents who have had sewer backups, and these have been attributable, for the most part, to grease buildup and blockage.
- d. No Parking – the Board continues to alert residents that there is no parking on any of the Village streets, from 2 a.m. to 7 a.m., from November 1<sup>st</sup> to April 1<sup>st</sup> so that the highway crew can plow snow.
- e. Snow Plowing – of Village streets and sidewalks by the highway department has again been exemplary. The Board commended 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. The Board has had so much snow during the month of February that it has accumulated to great heights along the streets. Hopefully, the highway department will be able, this week, to remove much of that and the Board urged residents to be mindful as they exit their driveways.
- f. Creek Walk Project – continues to move ahead. The Board has been notified by the NYSDOT, Real Estate Division, that all property and necessary rights-of-way have now been acquired for the project and it is expected that the project will be put out to bid in the spring of 2015, with construction taking place during the summer.
- g. Budget – the Village Board has begun work on its 2015-2016 Budget and at first glance, it appears that things are still somewhat stagnant at the Village level. In January, Village residents received their County tax bill and that bill reflected, as it did last year, a tax reduction for Village residents, on average about \$10 for a house valued at \$100,000 in the Village. The County, similar to last year, was able to drop their tax because the County, which slashed by more than half the sales tax revenue that used to go to the Village, has then been 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. The County has not added some VIP monies to the Villages this year as it has in the recent past, and these might have helped to offset an increase in Village taxes this year.
- h. Property Tax Cap – the Budget is complicated by the property tax cap of 2%, another State mandate, and at the March Board meeting, the Board might have to 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 Governor has also proposed a property tax freeze if the Village stayed under the tax cap and moved towards consolidation. However, the Village might not be able to stay under the tax limit but the Board has moved towards consolidation, particularly with the sewer project with the Town. There are just too many variables in the Governor’s tax proposal, and the savings, according to NYCOM, would be minimal.
- i. Sewer Consolidation Project – the Board mentioned at the January meeting that a meeting was held that included Village representatives with a representative from the NYS DOS to finalize the project and submit all relevant data to the Department of State for reimbursement of the \$600,000 that the Village had to borrow and spend before the project could be completed. It was hoped that there will be a positive outcome to these efforts by now, but the Board is still in the waiting stage.

- j. Compost Project – the Village received another update from the NYS DEC regarding the funding that was to accompany the Compost Project. The project began in the summer of 2010, followed by an application to the NYS DEC for a recycling grant that would pay for half of the cost of building the composting facility – approximately \$400,000. The Board was told at the time that processing of the grant would take three to four years. The Village was notified recently that the process seems to be coming to a favorable conclusion and that the grant monies would be available soon. However, it now appears that the Board will, initially, received only 91% of the grant monies and that the Board will have to wait another year to receive the remaining 9%, or approximately \$38,000.
- k. Fiscal Stress – In February, State Comptroller DiNapoli reported that the Village of Marcellus is “susceptible to fiscal stress.” In the response, the Board noted that much of this stress could probably be attributed to the debt on the village books and much of the debt will be reduced when the Village is reimbursed by the State of New York for several projects for which the Village has had to bond before being reimbursed. There are four particular sources for this “stress” including: a \$1.6 million borrowed in 2009 for the Reed-Street-Reed Parkway project – a long term bond that will be paid off in 25 years; a state-promised Local Government Efficiency Grant of \$600,000 for the consolidation of the village, town and school district sewer system; a \$400,000 reimbursement from the state under the Clean Air-Clean Water Act for the composting of sludge project at the WPCP; and an 80% reimbursement of a \$278,000 grant from the State Department of Transportation for the Creek Walk project. The Board is confident that when state reimbursement takes place, the village books will look healthy.
- l. A Statement from the Marcellus Village Treasurer – upon the recent release of the findings of the NYS Comptroller’s Audit of the Town of Marcellus, some Village residents might express concern as to whether the Village of Marcellus has complied with all required financial filings with the State Comptroller. Since his appointment in 2010, the Village Treasurer has filed all annual financial statements with the Comptroller’s office on a timely basis. Additionally, all other documents required to be filed with Federal, State, and Local government agencies, have all been filed on a timely basis.
- m. Planning Board – the Board met recently to discuss and approve a sketch plan of the 8 Paul Street Development Project. The minutes of that meeting are not yet available.
- n. Olde Home Days – June 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> – the first meetings were held in January and February, and the third meeting will be held on March 5, 2015 in the Village Board Room at 7 p.m.

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. Hearing none, Mayor Curtin asked for a motion to adjourn the meeting. Trustee Cox made the motion to adjourn, seconded by Trustee Tallman. 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 7:14 p.m.

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Dawn M. O’Hara, Village Clerk