

Monthly Updates – from the Mayor – January 2019

Since the minutes from our regular monthly Board meeting are not formally approved and posted on the Village website until the following month, it seems that our residents might be more fully informed of Village affairs by having regular updates posted on our website sooner, rather than later. To that end, it has been decided to provide our readers with some monthly updates, and if there are any concerns or a need for more information, please call (315-673-3112) or email (marboard@twcny.rr.com) the Village Office.

Public Hearing – Amend Chapter 37 (Animal Control) – The purpose of the public hearing is to allow all interested parties the opportunity to be heard regarding a proposed change to Chapter 37 (Animal Control) – to amend Section 37-14 – Restrictions – d) Unsanitary deposits prohibited – It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Village, or in any area under the jurisdiction of the Village, any human or animal excrement, garbage or other objectionable waste.

Comments by the Mayor – The background information on the need for this proposed change has come about as a result of the fact that this section on unsanitary deposits, is already found in Chapter 198-26 – Sewage – but should also be located in Chapter 37-14 under Restrictions so as not to confuse and to make it easier to locate in the Code Book. Therefore, while this restriction is and already has been in the Code Book for some time, it is necessary to approve this local law again so as to simplify and locate this restriction in an appropriate Chapter, # 37 – Animal Control. In addition, having this restriction codified prominently in two separate chapters of the Village Code, will help to ensure that residents and visitors alike are more fully aware of the restriction. Because the Village Board wishes to promote not only the public interest, but also the concerns of most Village residents, the Village Board proposes this addition to Chapter 37-14.

Comments from the Village Attorney – Jeff Brown – a SEQR Resolution for Adopting Local Law #1 of 2019 is not required

Vote on Local Law #1 of 2019 – to Amend Chapter 37 (Animal Control) – Local Law #1 of 2019, amending Section 37-14 – Restrictions – d) Unsanitary deposits prohibited was approved, to wit: It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Village, or in any area under the jurisdiction of the Village, any human or animal excrement, garbage or other objectionable waste.

Review of Employee Handbook – a review by the Village Board of the Village of Marcellus Employee Handbook, a copy of which is on file in the Village Office for public inspection, was approved. The Handbook went into effect on February 1, 2013, and it has been decided that the Board would conduct such a review each year upon its anniversary. This year, as part of the review, the Board has decided not to amend the handbook but to approve those changes that have been already ratified in 2014, 2015, 2016 and 2017

Village Improvement Project – a motion was approved to accept the Onondaga County Resolution authorizing funding to the Villages of Onondaga County to make public improvements for the years, 2020-2030. While this County Resolution does not fully restore the sales tax revenue that Villages once enjoyed and which was taken from the Villages in 2010, it does go a long way towards resolving some of the acrimony that resulted from the seizure of sales tax revenue. In addition, it represents a commitment on the part of the County to provide additional financial assistance to Villages so that they will remain viable and the centers around which the Towns revolve. Based on population, the Village of Marcellus is slated to receive 4.01% of the funding allocated by the County each year, from January 1, 2020 through December 31, 2030 (\$208,500 as compared with \$180,450).

Request to Waive Penalties for Utility Charges – the Board received a written request from the property owner at 37 South Street, asking that the Board consider waiving the late fee penalties, in the amount of \$72.00, for utility charges added to the 3rd quarter utility bill. Because the property owner has a history of never having been late in previous payments, the Village Board is inclined to forgive the late fee and issue a credit to the property owner for this quarter. A motion was made and approved to forgive the late fee and issue a credit to the property owner.

Request to Waive Utility Charges – the Board has not received a written request, as expected, from the property owner at 18 Reed Street, asking that the Board consider adjusting the utility rates for that property. Therefore, a motion was made and approved to table this item until more information is available and a letter requesting any changes be received by the Board.

Updates – the Mayor and Board

Another Police Update – the Prescription/Drug Drop-Off Box located in the lobby of the Village Hall continues to be a welcome addition to the Village. Any numbers of individuals continue to take advantage of using the drop-off box to dispose of any prescription or other drugs anonymously. The County Health Department stops by monthly to pick up and properly dispose of such items. It is hoped that the County will soon provide a similar drop off box for the disposal of needles and syringes anonymously.\

F.O.G. (Fats, Oils, Grease) – in the wastewater is a topic that had been much discussed and will continue to be on the WPCP's agenda in the months ahead. We continue to provide a flyer that emphasizes the need to keep Fats, Oils and Grease out of the sanitary sewer system.

No Parking – November 1st to April 1st – the public should be aware of the fact that as of November 1, 2018, there is no parking allowed on any street in the Village of Marcellus from 2 a.m. to 7 a.m. so that the Highway Department can plow snow. This no parking ban will remain in effect until April 1, 2019. If ticketed by Village Police, the fee will be \$35.00. We urge residents to use the Village parking lots for any overnight parking situations.

Snow Plowing – as in the past, we would like to alert independent snow plow operators that it is illegal to plow or shovel snow or ice during snow removal operations upon a village sidewalk or other public way. While most of the independent snow plow operators in the Village comply as much as possible with the law, there are some who need to be reminded that if a driveway is being plowed, that snow **CAN NOT** be plowed into the street. **NOR** can the snow be plowed out of a driveway, across the street and into the village right-of-way across from the plowed driveway. Some drivers have claimed that they have no place to put the snow. That, however, is not an excuse to put the snow into the street, nor across the street when plowing. The Village is not responsible for snow that accumulates on a resident's property and the Village is not responsible for removing snow that has been plowed onto the Village right-of-way. We ask that independent snowplow drivers take this into consideration when they are plowing residential properties in the village. No snow should be plowed onto a village street or sidewalk, and any that has been, accidentally, must be removed before finishing the job.

Notes on the Governor's Budget – the Governor released his 2019-20 Executive Budget for the fiscal year beginning April 1, 2019. NYCOM highlighted some of the proposals of greatest importance to its members. While NYCOM was successful with respect to its requests for increases in funding for water and sewer infrastructure, the Internet sales tax and the calculation of the interest rate on judgments, the Governor is proposing to eliminate AIM (Aid and Incentives for Municipalities) funding to a majority of villages as follows:

AIM Funding – while cities would receive the same amount as they do currently, the Governor has proposed to eliminate AIM funding for Villages and Towns – a total of \$16.4 million away from 480 of the 531 villages across the State. While the Village of Marcellus would lose about \$16,000, larger Villages would lose much more (e.g. Solvay - \$173,000, B-Ville - \$53,000), and Towns even more (Clay - \$416,000, Salina - \$290,000, Marcellus - \$45,000).

In addition, the Governor proposes to make the **tax cap permanent** and includes no changes with respect to how the tax cap is calculated or administered. This will probably guarantee a tax increase in most municipalities.

An additional **\$2.5 billion would be provided for drinking water and wastewater infrastructure as well as water quality protection** over a five-year period. This would be in addition to the five-year \$2.5 billion Clean Water Infrastructure Act that was created in 2017-18.

There is **no proposed increase in CHIPS (highway) funding** and the \$65 million in Extreme Winter Recovery funding is not continued under the Executive Budget.

The Budget would **change the interest rate on court judgments** or accrued claims from a 9% fixed rate to a market rate. This would not only generate savings but also encourage timely court proceedings.

The Budget would **legalize recreational marijuana** for those 21 years of age and older. Marijuana sold by wholesalers to retailers would be subject to three different taxes including a 2% tax on the invoice price of the sale by a wholesaler to a retail dispensary. The revenue from this 2% excise tax would go to the county in which the retailer is located. Every county regardless of population and cities with populations of greater than 100,000 would have the ability to opt out of having marijuana dispensaries located within their borders.

The Budget includes **funding for a fourth Downtown Revitalization** competition where 10 communities would each receive \$10 million.

The Budget proposes to extend **binding arbitration for public safety unions** for an additional five years, until 2024.

The Budget would require **all local elected officials** who earn an annual government salary of more than \$50,000 to **file annual statements of financial disclosure** with the Joint Commission on Public Ethics. The Budget also proposes to ban the use of plastic bags statewide (preempting any such local bans) and expand the definition of beverages for purposes of the bottle bill to include sports drinks, energy drinks, fruit and vegetable beverages and ready-to-drink teas and coffee.

In addition, the 2019-20 Executive Budget would increase local revenues by:

Requiring marketplace providers to **collect sales and use tax** on the taxable sale of tangible personal property that they facilitate. This initiative relieves sellers using marketplace providers of the responsibility to collect the tax. This proposal would increase local sales tax revenue by an estimated \$280 million annually, including \$121.8 million for NYC and \$17 million for other cities and villages. In addition to the marketplace providers proposal, and consistent with the United States Supreme Court ruling in *South Dakota v. Wayfair, Inc.*, out-of-state retailers whose sales in New York exceed \$300,000 or 100 transactions will be notified by the Tax Department that they are required under the New York Tax Law to collect and remit sales tax. This would generate approximately \$110 million in sales tax annually, including \$47.8 million for NYC and \$6.7 million for other cities and villages.

Eliminating the sales tax exemption on the non-residential transmission and distribution of gas or electricity when purchased from an ESCO (Energy Service Company), which would increase city (outside NYC) and village sales tax revenue by \$4.5 million.

Update on WWTP Upgrades – the \$7.7 million treatment plant upgrades mandated by NYSDEC to remove phosphorus from the plant's effluent continues to be well underway. Construction of two new clarifiers, a new UV tank, a new head works building and modifications to the control building are in progress and on schedule. The financing package includes a \$5,202,600 short term (30 year), interest-free hardship loan

and a \$1,379,900 WIIA Grant (formerly called a NYS Water Grant) along with an \$80,000 WQIP #11 grant, a \$1,000,000 WQIP #14 Grant and an anticipated \$250,000 SAM Grant.

Increased Sewer Rents – In anticipation of WWTP upgrades, the Village Board has increased the sewer rents significantly within the last three years. Having raised sewer rents to offset the cost of design and construction would enable the Village to meet the mandated requirements for phosphorus removal. However, last month we found it necessary to approve another sewer rent increase of approximately 30%. This will mean a minimum quarterly sewer rate, for Village sewer users, of \$100.00 (from \$75.00) and a minimum annual cost of \$400 (from \$300) and an average annual cost of about \$541.39 (from \$413.13). The annual cost for outside users is anticipated to be \$676.74 (from \$516.41). In order to prepare our Treatment Plant for operation well into the 21st century, these increases, while hefty, are unavoidable.

Planning Board – met last month, but the individual who was expected to appear, did not.

Highland Drive Drainage – the construction work completed on Highland Drive last fall, which included deepening the ditches and installed new culvert pipes under designated driveways, appear to have been somewhat successful. While we wait what the spring rains will bring, we are cautiously optimistic that our efforts in helping to address the flooding in this area will have been met with some success.

No Parking Restrictions Expanded – the new parking restrictions put in place by the Village Board last month on First, Meadow, Second and Reed Parkway appear to have been most effective. We have had few if any complaints from residents and the students appear to be parking their vehicles in the school lot that was created for them on campus. It's remarkable how a few parking tickets can quickly change one's reasoning.

Olde Home Days – May 31st, June 1st, and 2nd – the first meeting was held on January 3, 2019, and the next meeting will be held on February 7, 2019 in the Town Park's Welcome Center beginning at 6:30 p.m.

New County Legislator – Julie Abbott-Kenan – has been appointed as the County Legislator for the 6th District following Michael Plochocki's resignation and appointment to the County Attorney's office. The Village Board has recently been in contact with Ms. Abbott-Kenan and plans are underway to have her meet members of the Village staff and to have her learn of the concerns that are foremost in our Village. We anticipate a meaningful relationship with our new legislator and look forward to an effective and enjoyable association.

McClurg Community Service Event – Sleep in Heavenly Peace is a national 501(c) 3 organization that makes beds for kids who do not have one. McClurg and Company has teamed up with the local chapter in Syracuse, and will be making 10 bunk beds at its location on Lee Mulroy Road on Wednesday, February 27th from 3:00pm - 6:00pm. This event has a larger goal in mind for the spring/summer that would include community members, students, and the support of the local community at large. Their goal is to make 100 bunk beds (in a day) for the Sleep In Heavenly Peace organization. It would be their largest build to date if McClurg can pull it off. The process that SHP uses to make the beds is kid & adult friendly - with no prior construction knowledge necessary. With the help of its team, and the Marcellus students, and community donations, McClurg and company are confident they can hold an event in Marcellus that would have an impact like no other. Again - the event on February 27th - is just McClurg's team testing the waters - and completing 10 beds. We'd love to have you come take a look and see how the process works, so that if you had interest in pairing up with us, we would all be familiar with how it works.

Event Details: Wednesday, February 27, 2019 – 3:00pm - 6:00pm – 3703 Lee Mulroy Rd - Shop/Mill. The Sleep In Heavenly Peace organization motto is: "No kid sleeps on the floor in our town." McClurg and company would like to be a part of that and make sure those words hold true in Central New York.

NYSMEC Program Rates increase – the Village has been notified that NYSMEC, its supplier of energy, intends to raise its rates effective July 1, 2019. For High Use Accounts, the new rate will be \$500 from \$494 and for Low Use Accounts, the new rate will be \$95 from \$92.

ZEV Charging Station – the station, installed last year as part of a NYSDEC grant, has a defective screen, although it still charges vehicles, if a consumer has the appropriate app. We have received a new screen from Solar Liberty out of Buffalo, and will have it installed by our electrician when time becomes available and the weather improves from single digits.

Clean Energy Community – as was mentioned at earlier Board meetings, a \$100,000 grant has been reserved for the Village of Marcellus to implement clean energy projects. This has involved a retrofitting of several existing Village lights, including the historic lights (116) on Main, North and South Streets as well as the coach lights (16) on Kinderwood Drive and Orchard Circle to direct wire LED type fixtures. Other LED lighting retrofits have also occurred in the Village Hall, the Village Garage and the Water Pollution Control Plant. We also have added six (6) new historic lampposts, with LED type fixtures, to several streets in the Village – 3 on Chrysler Street, and 3 on Paul Street, with a goal of installing two (2) additional historic lights on Bradley Street. In addition, we are working with NYSEG to convert all of the remaining overhead (cobra) lights in the Village from HPS bulbs to LED bulbs. The average annual energy savings for the Village as a result of this project is estimated to be in excess of \$20,000.

NYSEG Service Classifications – as a result of the Village's LED upgrades to its 132 historic (ornamental) lights, those street lights which are now classified as Service Class 2 will be changed to Service Class 4, by which the customer (the Village) installs, owns, and maintains the lights, and only pays for the energy used – that energy based on the installed wattage and street light hours. NYSEG has no maintenance responsibilities. The remaining Village streetlights, referred to as cobra heads will remain in Service Class 3, which NYSEG will still own and maintain and is now in the process of changing out the bulbs from HPS to LED – another energy savings.

Village Meetings for February 2019 – a list of those meetings scheduled for February 2019, is provided for those so interested – please note that the Village Offices will be closed on Monday, February 18th for the Presidents' Day Holiday – there is **no trash delay** because of this holiday. Also, the second meeting of the Olde Home Days Committee, 2019, will take place on Thursday, February 7, 2019 in the Town Park's Welcome Center, at 6:30 p.m.