

**REGULAR MEETING OF THE VILLAGE BOARD
OF THE VILLAGE OF MARCELLUS HELD ON
MAY 18, 2015 AT THE VILLAGE HALL**

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

ABSENT: Jeff Brown, Attorney

Pledge of Allegiance.

Mayor Curtin asked for a motion to open the regular board meeting at 7:05pm, after a public hearing was held on Local Law #1 of 2015 which pertained to Land Use Subdivision Regulations. Trustee Cox made the motion, seconded by Trustee Tallman. Mayor Curtin called for a vote. All board members voted aye and the motion carried.

LOCAL

LAW #1: Trustee Tallman made a motion to adopt Local Law #1 of 2015, amending Chapter 223 (Land Use Subdivision Regulations) of the Code of the Village of Marcellus, to add a new section entitled "Lot Line Adjustments", to regulate the same. The motion was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on adopting the 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 regular board meeting for the month of April 2015. The bills on Abstract Sheets #012 for General Fund in the amount of \$26,590.82 and Sewer Fund in the amount of \$10,193.62 were audited. The bills totaled \$36,784.44. The Board received the Police Report for April 2015 from Police Chief Robert Wicks. The Board also received the Building Inspectors Report for the month of April 2015 from Building Inspector Bill Reagan. The Board acknowledged receipt of the minutes of the Town Board meetings for April 2015. The financial statements as submitted by Village Treasurer Nino Provvidenti for April 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.

REVIEW DRIVING

POLICY: Trustee Tallman mentioned that because the safety and well-being of Village employees, as well as the safety of village residents, is very important to the Village, the Board of Trustees desires to protect employees and community members while on the road. In 2014, the Board adopted a Driving Policy. Trustee Tallman made a motion to continue to require all employees of the Village who drive Village-owned vehicles to follow the Village of Marcellus Driving Policy. A copy of the policy is on file in the Village Office. The motion was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on the review of the Driving Policy. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

RELEVY OF

UNPAIDS: Trustee Cox made a motion to have the outstanding utility bills (refuse and sewage) re-levied to the Village of Marcellus property tax bills. The amount being re-levied to the taxes is \$47,954.00. Trustee Cox mentioned as a point of interest, that the amount re-levied in 2014 was \$45,533.15, in 2013 was \$49,517.33, and in 2012 was \$42,002.66. He also made a motion to re-levy special assessments, for unpaid rental dwelling inspection fees totaling \$1,175, to Village of Marcellus property tax bills as well. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the relevy. 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.

REQUEST PENALTY

ADJUSTMENT: Trustee Cox informed the residents that the Board had received a request from the property owners at 39 North Street to refund a late fee of \$11.14 on a recent utility bill, due to the payment having been lost in the mail. The property owners provided evidence of the mistake from their banking institution verifying that the payment had been lost in the mail. Trustee Cox made a motion authorizing the Village Clerk to provide the refund. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the adjustment. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

ANNUAL STORMWATER

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

PERMA PROGRAM

AGREEMENT: Trustee Cox mentioned that the Village had signed a contract agreement with PERMA in 1997 when it originally joined PERMA. The Village has not been required to sign another agreement since then. However, a consequence of PERMA's audit by the Workers Compensation Board last year required that a revised program agreement be signed by all members and the Village was required to sign a new agreement last year. According to a PERMA representative, it appears as if the WCB will be making PERMA revise the agreement again this year, but the agreement is still with the lawyers. Until PERMA has something finalized, the agreement signed in 2014 is completely valid. Once finalized, PERMA will forward a revised contract to be signed. Trustee Cox made a motion to table the agreement until the agreement has been finalized. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on tabling the agreement with PERMA. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

WORKER COMP

CONTRACT: Trustee Tallman made a motion to approve a one-year agreement with PERMA, the Public Employer Risk Management Association, to provide workers' compensation and employers' liability coverage for the Village of Marcellus. The one-year agreement will cost the Village \$29,388.00, which is an increase of \$4,494 over last year (an increase of about 4%), and includes a New York State Assessment of \$1,362. The estimated exposure increased dramatically over last year, in particular street maintenance and paving. Payroll for this class increased from \$67,381 to \$81,964. Trustee Tallman noted that the State of New York mandates the base rate for the employer. A few years ago the State mandated that the weekly benefit for injured employees increase from \$400 to \$750 per week. The motion was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on the workers compensation contract. 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 June 2015 had been prepared for the public and asked that residents please note the upcoming Marcellus Olde Home Days, sponsored by both the Village and Town of Marcellus, scheduled for June 5, 6 and 7, 2015. The Village Office will be closed for the Memorial Day Holiday. The Memorial Day Parade will take place on Monday, May 25th and the Village Office will also be closed for the Independence Day holiday on July 3rd. A village-wide garage sale is planned for Saturday, July 11, 2015 from 9 a.m. to 3 p.m. Garage Sale Permits will not be required that day.

Updates by the

Mayor:

Mayor Curtin provided updates on the following subjects:

- a. Trucks in the Village – Mayor Curtin invited Trustee Tallman to give the update regarding trucks in the village. She mentioned that the Board had received complaints that a large number of trucks, loaded with gravel, stone and dirt, have been coming through the Village in recent weeks, often spilling some of their loads on Main and North Streets, leaving a mess for the Village Highway

Department to clean. The Highway Chief was able to convince the truck dispatcher to have the trucks take a Scotch Hill Road route, but residents on that road registered complaints to the County and the trucks are back in the Village, using North Street, which is a State road. The Board has registered the complaints to the County DOT, which forwarded the concern to Honeywell, the company behind the cleanup of Onondaga Lake, and to the State DOT. The Board has not yet heard back from the State DOT.

- b. Planning Board – is reviewing several projects in the Village, including a second story addition to the Reagan Building on South Street. Mayor Curtin also mentioned that the Village expects two new businesses to open before Olde Home Days – the EMS Bakery at 14 West Main Street and Papa's Pizzeria Express at 18 West Main Street. The Board welcomes these new businesses and encourages residents to patronize them.
- c. WPCP Compost – is available for residents to pick up during normal working hours (7 a.m. to 3:30 p.m.). If there are residents who cannot pick up compost during normal business hours, Mayor Curtin advised them to please call the Treatment Plant (673-4491) to make an appointment with one of the operators. In addition, trees grown by operators at the plant nursery are also available on a first-come-first-serve basis.
- d. SRO Contract – with the Marcellus Central School District has been completed and is, or will be, 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.
- e. Sewer Consolidation Grant Project – at the end of April, the Village bank statements revealed that \$600,000 had been wired to the account on April 16, 2015. No one informed the Village that the transaction took place, but the Board is very grateful. On behalf of the Village Board and the residents of the Village, Town and School District, Mayor Curtin thanked Kara O'Donnell, the grants coordinator, Jeff Brown, the Village Attorney, Jim Oberst along with the engineering staff at MRB Group, and the Village treatment plant operators most sincerely for all of their efforts on the Board's behalf. Their attention to detail helped to secure reimbursement from the State, and the reimbursement has certainly lessened the fiscal stress of the Village. According to Mayor Curtin, after such a rough winter, the spring has brought not only good weather, but good news as well.
- f. Scotch Hill Project – Community Development notified the Board that the sidewalk project on Scotch Hill might be eligible for funding. Before that happens, the Village will be required to have residents on Scotch Hill submit an income survey to Community Development to determine if the project is eligible for hardship consideration. Recent HUD requirements have altered the areas of the Village eligible for Community Development funds, meaning that no areas of the Village are now being considered for funding. With the income survey, strictly confidential, the Board hopes that new sidewalks on Scotch Hill, from North Street to the Village line will be approved.
- g. Phosphorus Removal – the DEC mandate that requires removal of phosphorus from the treatment plant's effluent is still a work in progress. 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 on May 14, 2015 also revolved on how the Village will obtain grants to pay for such a project. If monies cannot be found, the 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. Many thanks to the highway department for accomplishing this and to 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. Memorial Day – parade and ceremonies are planned for Monday, May 25th, and the Board urged residents to plan to attend this annual event.
- j. Olde Home Days – is planned for June 5th, 6th and 7th in the Village and Town, and the Board urged resident participation.
- k. Sidewalks – per the Highway Chief's recommendations, repairs will be made to selected areas on South Street, Bradley Street and First Street pending budgetary concerns.
- l. Street repairs – on Hillside Drive and Baker Ave, are being planned for this summer, per the Highway Chief's recommendations – also several catch basins to repair.

- m. Trees – per the Highway Chief’s recommendations, several trees will be removed – there is not much in the budget for new ones, but the Board might be able to plant several of the trees that have been grown at the WWTP on side streets.
- n. Flower Boxes – the Village Board publically thanked Kathy Welsh and the Marcellus Garden Club, along with the many volunteers, who grew and planted the flowers that will now grace the Village flower boxes. The Board also would like to thank the Highway Department for their efforts in getting the boxes ready and installing them, as well as the Treatment Plant operators for providing the compost from the Plant for the flower boxes.
- o. Village Web Site – Bill Reagan regularly updated the website and was very accommodating to the Village and its residents. Bill is now handing this responsibility off and the Board is in the process of developing a new site. Bill will continue doing updates for the Village until the new site is set up. The Board thanked Bill for all he has done for the Village in this regard – without pay for a number of years.
- p. Creek Walk Project – having approved the construction agreement with Barton & Loguidice, the Creek Walk Project continues to move ahead. The Rights of Way have been secured by the NYSDOT on behalf of the Village and some trees on the site have been cut so as not to disturb the nesting season of the Northern Long-eared Bat. Having approved the construction agreement with Barton & Loguidice, the Board is still waiting for the FHWA to give the Board authorization to put the project out to bid. The Board should have the wetland permit authorization soon as well. The Board hopes that bidding and construction of the trail can begin this spring and summer. For residents who not familiar with the project, the Board urged them to check out the home page of the Village website – <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. 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 7:20 p.m.

Dawn M. O’Hara, Village Clerk