

**REGULAR MEETING OF THE VILLAGE BOARD  
OF THE VILLAGE OF MARCELLUS HELD ON  
AUGUST 24, 2015 AT THE VILLAGE HALL**

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

**ABSENT:** Patrick W. Cox, Trustee  
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 #2 of 2015 which pertained to the Village Sign Control. Trustee Tallman made the motion, seconded by Mayor Curtin. Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

**ADOPT LOCAL LAW**

**#2 OF 2015:** Trustee Tallman made a motion to approve Local Law #2 of 2015, amending Chapter 202 – Sign Control, of the Code of the Village of Marcellus, to more clearly regulate temporary business signs. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on adopting Local Law #2 of 2015. Hearing none, Mayor Curtin called for a vote. Both 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 July 2015. The bills on Abstract Sheets #003 for General Fund in the amount of \$43,356.48, Sewer Fund in the amount of \$18,859.73 and Trust & Agency in the amount of \$1,809.05 were audited. The bills totaled \$64,025.26. The Board received the Police Report for July 2015 from Police Chief Robert Wicks. The Board received the monthly report for July 2015 from Building Inspector Bill Reagan on behalf of previous Building Inspector Mark Taylor. The Board acknowledged receipt of the minutes of the Town Board meetings for July 2015. The financial statements as submitted by Village Treasurer Nino Provvidenti for July 2015 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.

**TRANSFER OF BANK**

**DEPOSITS:** Trustee Tallman informed the public that at its Annual Meeting on April 6, 2015, the Board of Trustees adopted a resolution designating KeyBank as the official bank for the deposit of all Village monies. Since that time, KeyBank decided to institute a series of fees on all Village transactions. Specifically, the Village of Marcellus is now subject to a collateral surcharge (fee) every month. In addition, KeyBank began charging the Village for other services, such as wire transfers for bond payments, which were discounted in the past. These fees total approximately \$600 per month. The Board of Trustees tried to convince KeyBank representatives (both local and downtown) to alter the policy – to no avail. The Board was told, “their hands are tied by corporate decisions.” Trustee Tallman mentioned that it is an unfortunate development, since the Village enjoys the convenience of KeyBank in the village and have always felt that KeyBank was a good neighbor, interested in the local community and its residents but the Board cannot justify the new fees to the village taxpayers, and decided to transfer all of the bank accounts to Solvay Bank. Trustee Tallman made a motion to adopt the following resolution:

Whereas, the Board of Trustees has determined that Village Law requires the designation of banks or trust companies for the deposit of all Village monies,

Now, therefore be it resolved, that Solvay Bank be, and is hereby designated as the depository for regular accounts, and as the depository for capital and investments, and that all monies received by the Village Treasurer, Village Clerk, and Receiver of Taxes be deposited in said depository. This resolution will be effective following federal approval, probably around September 15, 2015.

The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the change to Solvay Bank. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

**POLICE OFFICER RESIGNATION/**

**REINSTATE:** Trustee Tallman notified the public that Village Police Officer Raymond Herrick retired from the Sheriff’s Department effective July 24, 2015 and New York State Retirement Bureau required that Officer Herrick resign from the Marcellus Police Department upon his resignation. Trustee Tallman made a motion to accept the resignation of Raymond Herrick as Village Police Officer, effective July 24, 2015, and to approve his reinstatement as a Marcellus Police Officer at a rate of \$17.69 per hour and his

appointment as a School Resource Officer at the new School Resource Officer rate of \$25.50 per hour, both appointments will be effective August 31, 2015. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the resignation/reinstatement. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

#### **CREATE SERGEANT POSITION/POLICE DEPT.**

**PROMOTION:** Mayor Curtin made a motion to create another Police Sgt. position in the Marcellus Police Department and approve, at the request of Police Chief Wicks, the promotion of Police Officer Robert Pitman to the position of Sergeant in the Department. Officer Pitman is presently an officer in the Marcellus Police Department. Sergeant Pitman will make \$19.26 per hour and the appointment and promotion will be effective August 25, 2015. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the promotion. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

#### **CODES OFFICER**

**RESIGNATION:** Trustee Tallman explained that Mark Taylor, who was appointed Code Enforcement Officer on April 27, 2015, submitted his resignation, effective July 31, 2015, because he accepted a new job that takes too much of his time to be an effective CEO. The Board accepted, with regret, Mark's resignation and thanked him for his service. The Board wished Mark the best in his new position. Trustee Tallman made a motion to accept the resignation. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the Codes Officer resignation. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

#### **HIRE CODES**

##### **OFFICER:**

Trustee Tallman announced that the Board was fortunate to rehire Bill Reagan as Village Codes Officer. Bill had been CEO for a number of years and also holds a full-time CEO position with another municipality, as well as another part-time CEO position with a different municipality. With so many jobs, Bill felt that he needed to separate himself from some of the jobs and submitted his resignation. Thankfully, the Board was able to convince Bill to come back to work for the Village, and the Board is very pleased that he agreed to return. Trustee Tallman made a motion to appoint Bill Reagan as Codes Enforcement Officer, effective August 1, 2015. Trustee Tallman also mentioned that because of the recently added responsibility of doing more than 200 rental inspections in the Village, as well as some of the increased workload that the position of CEO now requires, the Board approved an annual salary of \$10,000, to be paid on a monthly basis. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on hiring the Codes Officer. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

#### **EFC GRANT**

**APPLICATION:** Trustee Tallman made a motion to authorize the Mayor to sign the NYS Water Infrastructure Improvement Act Grant Application, through the Environmental Facilities Corporation, whereby the Village of Marcellus requested consideration of its water quality improvement project to upgrade its Water Treatment Facility and address the phosphorus removal mandate levied against the Village. The total estimated project cost is \$5,600,000, of which the grant, if awarded, would provide 25%. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the EFC Grant Application. Hearing none, Mayor Curtin called for a vote. Both 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 Mayor Curtin. Mayor Curtin asked if there was any discussion on tabling the agreement again. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

#### **PERMA PROGRAM**

**AGREEMENT:** Trustee Tallman again mentioned that the Village signed a contract agreement with PERMA in 1997 when it originally joined PERMA and the Village has not been required to sign another one since then. However, a consequence of PERMA's audit by the Workers Compensation Board last year, required that a revised program agreement had to 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 Tallman made a motion to again table the agreement until the attorneys have finalized said agreement. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on tabling the agreement with PERMA. 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 Fund only. 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:

Trustee Tallman announced that the Village Clerk had printed copies of future meeting dates for the Village for the benefit of residents. She asked residents to please note that the Village Office would be closed for Labor Day, September 7<sup>th</sup>, and that there will be a one-day delay in trash pickup due to the holiday. The Board also noted that Fall Trash Days are scheduled for the last Friday and Saturday in September (Sept 25<sup>th</sup> and 26<sup>th</sup>) and the first Friday and Saturday in October (Oct 2<sup>nd</sup> and 3<sup>rd</sup>), from 8 am to 3 pm each day. The trash transfer station is located on Town property, across from the Town Highway Garage on the East side of Lee Mulroy Road. A user fee is charged to offset the cost of the service. She went on to say that permits may be purchased at the Town Clerk's Office, 24 East Main Street during regular office hours, Monday – Friday 9:00 am – 4:30 pm. For more information on trash days, Trustee Tallman suggested calling the Town Highway Garage – 673-3127, and for Permit Information, call the Town Office – 673-3269 Ext. 1

## Updates by the Mayor:

Mayor Curtin provided updates on the following subjects:

- a. Change to Solvay Bank – the change in the official Village bank depository was not taken lightly. The Board tried for months to have KeyBank alter the policy and the local branch manager was also disturbed as well. After noting that KeyBank had also lost in recent months the Town of Marcellus bank accounts, as well as the Marcellus School District accounts, because of the fees levied against the municipalities, the Village Board came to the conclusion that the efforts were in vain. The Board realizes that sometimes decisions are made by “corporate,” and that local representatives are simply messengers for an insensitive organization, whose only goal is profit. This is the exact opposite that KeyBank should desire to portray. In fact, in the spring of every year, KeyBank touts its “Give Back to the Community” message, encouraging its employees to do just that. It seems that “corporate” might want to embrace what it promotes and project a character that is more community-focused, rather than the “bankster” image that seems to be projected throughout the nation during current economic times. The Board also hopes that their concerns will be conveyed to “corporate.” The Village may be small, but there are many small depositors in a number of small communities throughout New York in particular and each contributes a great deal to “corporate.” A “nickel-and- dime” routine seems to become standard practice with too many “corporate” organizations in America today and it is regretful.
- b. Scotch Hill Sidewalk Project – the Board is deeply disappointed that there were not enough responses to the income questionnaire from residents of Scotch Hill. If there had been an 80% response by residents, funding for new 5-foot sidewalks on the south side of Scotch Hill may have become a reality. With the new curbing installed last year and with the road having been repaved last month, this important gateway to the Village would have been much enhanced. Unfortunately, new sidewalks on this street will not be forthcoming.
- c. Creekwalk – the Board had a setback with the trail. Because two trees along the proposed trail could be nesting areas for the Northern Long-eared Bat, and because the U.S. Fish and Wildlife Agency has declared the bat to be an endangered species, construction of the Creekwalk trail has been delayed, at least, until the fall of 2015.
- d. Street Reconstruction – first stage, on Baker Ave and Hillside Drive has been completed – the streets will need a one-week settling period after which asphalt will be applied. If monies are available, the Board hopes to also resurface part of Beach Road.
- e. School Starts – in two weeks, the Board urged residents to be aware of the fact that there will be students walking to school, particularly on First Street. Also, the State DOT will begin operation of the flashing lights on North Street and the Village Police Department will be even more vigilant in their enforcement of the traffic laws on that street.
- f. Striping of Crosswalks – on Village streets (by the Village), as the well as the Village parking lots and some parking spots on North Street took place, fortunately before school starts. Road striping on North Street (by the State) and on Main Street (by the State) will not take place this year as it does not fit into their schedules.
- g. Tree Removal – some trees have been or will be taken down on Orchard, South, and Bradley Street, along with some tree trimming. There is also a need to grind a number of tree stumps from last year's tree removals. About six tree plantings will take place in late summer or early fall.

- h. Sidewalks – on South Street and some isolated spots on Bradley and First Streets will soon be completed. Additional sidewalk repair in the Village will have to wait until next year.
- i. Village Taxes – most have been paid, while the amount of unpaid taxes currently, including penalties, totals \$30,938.14, from 28 property owners, a figure slightly less than that in 2014. Residents may continue to pay unpaid taxes to the Village until October 31, 2015, when they will be turned over to the County for reimbursement.
- j. V.I.P. Monies – infrastructure grant payments received by the Village of Marcellus from Onondaga County, as part of the Village Infrastructure Improvement Project have totaled \$180,450 this year, with no increase, as was the case last year. This represents about half of what the Village used to be provided, until the County took the sales tax revenue from Villages in 2010. Mayor Curtin mentioned that half is better than nothing.
- k. Code Enforcement Issues – have recently involved buildings that are in need of painting and/or repair, rental inspections, and litter that needs to be removed and vehicles that appear to be abandoned or junked.
- l. Paul Street Development Project – by McClurg and Associates appears to be on hold for the present and immediate future, but things are definitely moving along according to a McClurg associate.
- m. NYSEG and Streetlights – the Board had complaints that some Village streetlights were not operating. Both the Village and residents have conveyed their concern to NYSEG. Some of the problems have been corrected, others still need to be addressed.
- n. Lead Hazard Reduction Program – Southern Hills Preservation Corporation provides outreach to communities in southern Onondaga County to let residents know of the County’s Lead Hazard Reduction Program, a program to reduce lead paint hazards in privately owned, residential structures throughout Onondaga County.

Lead hazards are often found on painted window frames, wood siding, and painted doors. Common repairs provided by the program are new windows, doors, and siding. Onondaga County Community Development Division and the US Department of HUD fund the program.

Eligible repairs are determined by a thorough lead paint inspection of the home. The Community Development Housing Inspector, along with an independent contractor hired by Community Development, will perform the inspection according to established standards.

Owners of rental units may also be eligible for assistance.

For additional information and assistance go to <http://www.ongov.net/cd/leadReduction.html>, or call Onondaga County Community Development Division, (315) 435-3558.

- o. Triple EEE – the Onondaga County Health Department issued another news release, noting that additional evidence of Eastern Equine Encephalitis Virus has been found in Onondaga County in three mosquito pools in the Town of Cicero and in the Town of Salina. The Health Department reminds residents that personal protection measures are important to preventing the mosquito-borne illness. Further information can be found on the flyer that is available at the Village Office.
- p. Meeting with New Superintendent – members of the Board and Police Chief Wicks recently met with Dr. Judith Pastel the new Marcellus Schools Interim Superintendent. Dr. Pastel has had much experience as a Superintendent, including a number of years in the Ithaca City School District and as an interim Superintendent for Skaneateles Schools. Dr. Pastel is very supportive of the School Resource Officer Program and she is very interested in having a strong Village-Town-School relationship. The Board is very pleased that Dr. Pastel is reaching out to all members of the Marcellus community and has such a strong interest in learning about Marcellus. She is a good listener and will provide strong leadership as the Marcellus School District begins its search for a permanent Superintendent. The Village Board wished Dr. Pastel much success during the coming school year.

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. There were 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. 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 7:25 p.m.