

**SPECIAL MEETING OF THE
VILLAGE OF MARCELLUS
HELD AT THE VILLAGE HALL
ON MARCH 27, 2017**

PRESENT: John P. Curtin, Mayor See List
Sara N. Tallman, Trustee
Hal Brown, Attorney

ABSENT: Patrick W. Cox, Trustee

Mayor Curtin asked for a motion to open the public hearing at 7:04 p.m. Trustee Tallman made a motion to open the hearing, seconded by Mayor Curtin. Both board members voted aye, and the public hearing was opened.

The Village Clerk read the legal notice of the public hearing to those in attendance.

Mayor Curtin explained that the purpose of the public hearing was to allow all interested parties the opportunity to be heard regarding proposed Local Law #2 of 2017, which will repeal and replace Chapter 106-2 Health and Sanitation, allowing control of outdoor storage of trash and trash receptacles, in order not to expose properties and neighborhoods to the potential for deterioration.

Mayor Curtin went on to say that both the Village and the Village Code Enforcement Officer have concerns over the necessity to change Chapter 106 with regard to outdoor storage of garbage by some residents. On occasion, outdoor garbage is not properly contained and is often flowing over the trash can, presenting both health and pollution problems for neighbors and the community.

The proposed law will be repealed and replaced with the following language:

Chapter 106 Health and Sanitation

Article I – Regulating Refuse Storage and Collection

Section 106-2 – Storage and Screening

- a) Cans and Containers – Except as otherwise provided herein, all garbage and rubbish intended for and permitted for removal shall be contained in a tightly covered water-tight galvanized iron, plastic, vinyl or other non-rusting can or container having handles and of a capacity of not less than ten or more than thirty gallons per container and filled no higher than to within four inches from the top. Specifically excluded herefrom is the utilization of plastic trash bags unless they are contained within the aforementioned can or container or are used to contain only rubbish or exterior trash. Refuse to be collected shall not be permitted to become wet or to freeze. Any refuse can or container that does not conform to the provisions of this Chapter, or that may have ragged or sharp edges, or any other defect, tending to hamper or injure the person collecting the contents thereof, may be collected and disposed of by the party making collection as refuse.
- b) Screening - The storage of garbage containing waste materials, rubbish and all types of refuse containers shall be separated from all adjoining lots or rights-of-way by a screening device not less than four feet in height or otherwise contained within an enclosed structure, except during such times as are designated for the removal of contents. No unpleasant or noxious odors are permitted beyond lot lines. Outdoor storage shall not be located within a front yard nor within 5’ of a side property line.

Mayor Curtin then asked for questions or comments from the public. There were none. Trustee Tallman made a motion to close the public hearing at 7:09p.m., seconded by Mayor Curtin. Mayor Curtin called for a vote. Both board members voted aye and the public hearing was closed.