

**REGULAR MEETING OF THE VILLAGE BOARD  
OF THE VILLAGE OF MARCELLUS HELD ON  
MARCH 28, 2016 AT THE VILLAGE HALL**

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

**ABSENT:** Patrick W. Cox, Trustee

Pledge of Allegiance.

Mayor Curtin asked for a motion to open the regular board meeting at 7:15pm, after three public hearings were held on the 1) Community Development Block Grant, 2) Overriding the Tax Cap, and 3) Increasing Sewer Rates. Trustee Tallman made the motion to open the regular board meeting, seconded by Mayor Curtin. Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

**CDBG**

**RESOLUTION:** Trustee Tallman made a motion to approve the following resolution:

**WHEREAS**, the Board of Trustees of the Village of Marcellus is resolved to further enhance the Village with improvements of sewers, roads, drainage and sidewalks; and

**NOW, THEREFORE BE IT RESOLVED**, the Village of Marcellus is eager to participate in the 2016 Onondaga County Community Development Grant Program; and

**BE IT FURTHER RESOLVED**, that the Board of Trustees of the Village of Marcellus has previously authorized Barton and Loguidice, P.C. to apply for 2016 grant funding through the Onondaga County Community Development Grant Program on behalf of the Village for sidewalk rehabilitation work on Paul Street.

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

**ADOPT LL#2 – OVERRIDE**

**TAX CAP:** Mayor Curtin made a motion to approve Local Law #2 of 2016, authorizing a property tax levy in excess of the limit established in General Municipal Law Section 3-c. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on adopting the local law. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

**SEWER INCREASE**

**RESOLUTION:** Trustee Tallman made a motion to approve the Resolution again raising the rates for Sewer charges, effective April 1, 2016, as defined in Document G of the Village of Marcellus Code Book. Since the Village bills in arrears, the bill that will be mailed in July, which reflects usage for April, May and June, will be the next bill to reflect the increase. The first increase was effective October 1, 2015 and was reflected in the January 2016 bill. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the resolution. 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 February 2016. The bills on Abstract Sheets #010 for General Fund in the amount of \$47,535.30, Water Fund in the amount of \$1,966.12, Sewer Fund in the amount of \$7,653.23, Capital Funds in the amount of \$48.00 were audited. The bills totaled \$57,202.65. The Board received the Police Report for February 2016 from Police Chief Robert Wicks. The Board also received the Building Inspectors Report for the month of February 2016 from Building Inspector Bill Reagan. The Board acknowledged receipt of the minutes of the Town Board meetings for February 2016. The financial statements as submitted by Village Treasurer Nino Provvidenti for February 2016 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.

**SPRING BRUSH**

**DATES:** Mayor Curtin made a motion designating Spring Brush Pickup Dates. The Highway Superintendent designated the first day for brush pickup in the Village to be Monday, April 4, 2016. The last day to put brush out to the curb for pickup will be Monday, May 9, 2016. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion

on the brush pickup dates. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried. Mayor Curtin also mentioned that the Town of Marcellus announced dates for the Trash Transfer Stations: Fridays, April 29<sup>th</sup>, May 6<sup>th</sup>, and May 13<sup>th</sup>, from 8 a.m. to 3 p.m. and Saturdays, April 30<sup>th</sup>, May 7<sup>th</sup>, and May 14<sup>th</sup>, from 8 a.m. to Noon. Permits are required and are issued through the Town of Marcellus Clerk's Office. Tires require an additional permit, starting at \$3.00, as well as items that contain Freon, such as refrigerators, freezers, air conditioners or dehumidifiers - these require another permit. Some items are not accepted including garbage, OCRRA recyclables, liquids or hazardous waste including paint, oil tanks, fuel tanks, motor vehicles, roofing shingles and brush over 6 inches in diameter.

#### **ANNUAL STORMWATER**

**REPORT:** Trustee Tallman made a motion to table the Annual Storm Water Report until the next regular meeting of the Village Board in April. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the report. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

#### **BACK INJURY**

**POLICY:** Trustee Tallman made a motion to approve a recommendation made by Village employees and the Safety Coordinator at a recent meeting of the Village Safety Committee regarding a Back Injury Prevention & Safety Program and to insert the program into the Employee Handbook. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the policy. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

#### **UPDATE FEE**

**SCHEDULE:** Mayor Curtin made a motion to update the Village Fee Schedule, upon recommendation of the Code Enforcement Officer, including mobile food vendors, among other updates. A copy of fee schedule is on file in the Village Office for public inspection. The fee schedule is also available on line at the Village website, under Village Code, Document C. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the fee schedule. 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 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 Tallman made a motion to table the agreement until the agreement has been finalized. 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:**

Mayor Curtin 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. Both board members voted aye and the motion carried.

#### **B&L PROPOSAL –**

**CDBG:** Trustee Tallman mentioned that at its February 2016 board meeting, the Board approved Barton & Loguidice to complete and submit the Community Development Block Grant application on behalf of the Village, since the cutoff date to submit the application was March 23. B&L have since completed and submitted the application and presented their proposal for the work in the amount of \$1,500 to the Board. Trustee Tallman made a motion to approved the proposal in the amount of \$1,500, seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the proposal. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

**ANNUAL MTG &  
TENTATIVE**

**BUDGET:**

Trustee Tallman announced that the Annual Meeting will take place on April 4, 2016 and includes appointments of non-elected officials, establish regular meeting dates, as well as designate official newspapers and depositories. In addition, a public hearing will take place on April 4, 2016 to consider the tentative budget of the Village for the next fiscal year. Approval of the final budget will take place at the next regular Board meeting, on April 25, 2016.

**ANNOUNCE  
VILLAGE**

**MEETINGS:**

Trustee Tallman announced that the Village Clerk had printed copies of future meeting dates of the Village for the residents. She asked residents to please note that the Village Office was closed on Good Friday, March 25<sup>th</sup>, and will be closed on Memorial Day, May 30<sup>th</sup>. Olde Home Days 2016 is scheduled for June 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> and the Committee continues to meet the first Thursday of every month, in the Village board room. The next meeting is planned for April 7, 2016.

**Updates by the  
Mayor:**

Mayor Curtin provided updates on the following subjects:

- a. Election Results – Congratulations were extended to Trustee Sara N. Tallman on her re-election as Trustee on March 15, 2016. Re-elected to a four-year term, Sally will serve until 2020. The Board has been grateful for the very dedicated service that Sally has provided the Village for the past four years and looks forward to continued accomplishments in the future.
- b. No Parking – regulations during the winter months, which calls for no parking on any Village streets from 2 a.m. to 7 a.m., ends on April 1<sup>st</sup>.
- c. Sign Placement – soon the Highway Department will be re-installing pedestrian crossing signs on Main Street in the Village. The signs will be placed in the road, near the crosswalks, warning motorists that all vehicles must yield to pedestrians who are walking in the crosswalk – a New York State law. Hopefully the signs will make it easier for pedestrians, particularly schoolchildren, to cross Main Street safely, as well as cause motorists to slow down as they approach the crosswalks.
- d. Village Earth Day Participation – the Board announced that the Village will again participate in an Earth Day clean up on Friday, April 22, 2016. Second grade students from Heffernan Elementary School will participate in the event and the Board welcomes any individuals or groups to join the Village Board in helping clean the village of any litter lying along the roadside and Village rights of way. Members of the Village Board will meet in front of the Village Hall to distribute bags and gloves. Anyone interested in participating, as a group or an individual, may show up about 1:30 p.m. or contact the Village Clerk at 673-3112 for more information.
- e. Utility Bills – the utility bill that residents receive this month is the last bill for the Village fiscal year. If this bill is not paid by April 29, 2016, the bill will be re-levied to the tax bill for June 1, 2016. If the bills for tenants who pay their own utilities are not paid by April 29, 2016, those too will be re-levied onto the owner's taxes for June 1, 2016. Unlike previous utility bills, payment for the final bill for the fiscal year must be made within the month.
- f. Creek Walk Project – the Board had a setback with the Creek Walk Project, in that the bids that were opened on May 9, 2016 were much too high for the Board to consider. The Board is in the process of consulting with Village engineers and NYSDOT to determine if part of the trail could be constructed now, and the remainder constructed when more funds become available. The Board is still hopeful that construction of the trail can begin this spring and summer.
- g. 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 Village was told at the time that processing of the grant would take three to four years. In late February, after a wait of almost five years, the Village was reimbursed 91% of the grant monies promised by the NYS DEC, funding that was to accompany the Compost Project. The Board will probably have to wait another year to receive the remaining 9%, or approximately \$38,000, due to miscalculations regarding the project costs.
- h. Budget – the Village Board is working to finalize the 2016-17 Village Budget in preparation for the Annual Meeting. In January, village residents received their County and Town tax bill and the bill reflected a tax reduction for Village residents, on average about \$10 for a house valued at \$100,000 in the Village. Similar to last five years, the tax reduction was made possible by the County, having slashed by more than half the sales tax revenue that used to go to the Village. The County was then able to pass on the 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. The Village budget remains far short of what the Board needs to provide adequate services and the Board therefore anticipates a slight tax increase of less than 2% (or 1.9%), or 13 cents/1000, which falls within the Governor's tax cap, but not tax freeze, proposal.
- i. Property Tax Cap – as was mentioned, the Budget is complicated by the property tax cap of 2%, another State mandate, and at the recent workshop

meeting, the Board decided to override the tax cap. The Board certainly favors a tax cap, and the Board will most likely override the cap, but a tax freeze is not possible. There is no meaningful relief from continuous unfunded State mandates and this, coupled with a cap on the Board's ability to raise revenue, it is very difficult to plan or even survive.

- j. Fiscal Stress – Last February, State Comptroller DiNapoli reported that the Village of Marcellus was “susceptible to fiscal stress.” In the Village’s response, the Board noted that much of the stress was attributed to the debt on the village books and much of the debt would be reduced when the Village is reimbursed by the State of New York for several projects which the Village had to borrow and bond for before being reimbursed. Since then, the Village has been reimbursed for some of the debt it assumed in order to pay for the consolidation of the village, town and school district sewer system, as well as reimbursement from the State for the composting of the sludge project at the WPCP. As was mentioned last year, the Board was confident that when state reimbursement took place, the village books would look healthy, and the Village Treasurer confirmed that the susceptibility to financial stress envisioned by the State Comptroller’s Office was eliminated. In fact, there does not appear to be any village in Onondaga County that bares the “susceptible to fiscal stress” label.
- k. Flushable Wipes Are NOT Flushable!!! – The Board continues to urge residents to avoid using what are called flushable wipes – they are NOT flushable – nor are dental floss, cotton swabs, hygiene products, kitty litter, facial tissue, fats, oils, and grease. All of these items should be put in the trash and only human waste and toilet paper should be flushed. To avoid plumbing problems, which will most likely occur on residential property, not in the Village main, please be aware of the concern. The Board also referenced an Internet video that explains the problems associated with flushable wipes. Please view the following: <http://www.youtube.com/watch?v=SLTVqkXVvNk>. The video is also posted on the Village website. The Board also urged residents to review the “Trash NOT Sewer” flyer that accompanied a previous newsletter. The information is invaluable and will help residents understand the importance of putting items in the trash, and not into the sewer.
- l. Illegal Sump Pumps, Roof Downspouts, Exterior Drains – over the past two years, most have been disconnected and the result has been much improvement in the flows at the Waste Water Treatment Plant. They are illegal connections and it may become necessary for another inspection if any residents have allowed them to be re-connected.
- m. Homeowner Responsibility for Sewers – property owners should be aware that they are required to maintain the sewer laterals that extend from their homes to the sewer main – typically located in the middle of the road. Sewer laterals are entirely owned by the private property owner, who is responsible for the entire length of the lateral, to the sewer main. At the sewer main, the Village assumes responsibility.
- n. Area Code Overlay Approved for 315 Area Code – residents should prepare to change the way they dial their calls made within the 315 area code. To complete calls within the 315 area code region, the new dialing procedure requires calls to dial **area code + telephone number**. This means that all calls in the 315 area code that are currently dialed with seven digits will need to be dialed using **ten digits – area code + telephone number**. There will also be a new area code, **680**, assigned to the same geographic region as the existing area code – 315, and the same dialing procedure will apply to telephone numbers assigned to the new 680 area code – **680 + telephone number**. Beginning **February 11, 2017**, people must use the new dialing procedures. After that date, if people do not use the new procedure, calls will not be completed and a recording will instruct dialers to hang up and dial again. The New York Public Service Commission urges residents to begin using the new procedure in March 2016, so that they become familiar with the new procedure.
- o. Time Warner Cable Is Going All-Digital on April 12, 2016 – residents who subscribe to Time Warner Cable TV were informed that, by April 12, 2016, a digital set-top box or digital adapter will be needed to avoid losing the television picture. Adapters are free of charge for 24 months. After that, each adapter will be billed at the prevailing monthly rate at that time.

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 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 7:40 p.m.