

**REGULAR MEETING OF THE VILLAGE BOARD  
OF THE VILLAGE OF MARCELLUS HELD ON  
APRIL 27, 2020 AT THE VILLAGE HALL**

**PRESENT:** John P. Curtin, Mayor John J. Murphy, Candidate  
Sara N. Tallman, Trustee Charnley A. Abbott, Clerk  
Timothy P. Manahan, Trustee No other participants via web meeting  
Jeff Brown, Attorney- via web meeting

**ABSENT:** None

Mayor Curtin began the meeting with the Pledge of Allegiance and the following announcement:

**ANNOUNCEMENT**

As of March 17, 2020, all Village meetings are closed to public attendance for the safety of all concerned. Authority to make the adjustment was provided by Governor Cuomo's March 13, 2020 Executive Order to temporarily suspend Open Meetings Law to allow for public bodies to hold public meetings without public attendance. However, if anyone wishes to listen to what transpires at public Board meetings visit the Village website, [www.villageofmarcellus.com](http://www.villageofmarcellus.com) for web hosted meeting information. In addition, the minutes to the Board Meetings will be recorded and summaries of the meetings will be available on the Village website under News, Mayor's Updates, for those so interested. Amid the COVID-19 Pandemic, Governor Cuomo has issued an Executive Order delaying Village elections statewide until the at least June of 2020. The Executive Order also calls for any elected official holding such position to remain in office until such time as a new election is held. We have already posted a letter of information on the Village website, to keep you informed of matters related to the operation of the Village during this health crisis.

Mayor Curtin asked for a motion to open the regular board meeting at 7:00pm. Trustee Tallman made the motion, seconded by Trustee Manahan. 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 special meeting and regular board meeting for the month of March 2020. The bills on Abstract Sheets #011 for General Fund in the amount of \$21,100.81, Water Fund in the amount of \$0.00, Sewer Fund in the amount of \$19,309.36, Capital Funds in the amount of \$18,968.70 and Trust & Agency in the amount of \$148.67 were audited. The bills totaled \$59,527.54. The Board tabled the Police Report for the month of March 2020. The Board also received the Building Inspectors Report for the month of March 2020 from Code Official Bill Reagan. The Board acknowledged receipt of the minutes of the Town Board meetings for March 2020, and the financial statements for March 2020. Trustee Manahan 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.

**ADOPT 2018 – 2019**

**BUDGET:** Trustee Tallman mentioned that there were no changes made to the tentative budget that was approved at the Annual Meeting on April 6, 2020 and made a motion to approve the 2020-2021 Village budget and set the Tax Rate at \$6.85 /\$1,000 assessed valuation. The motion was seconded by Trustee Manahan. Mayor Curtin asked if there was any discussion on approving the budget. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**STORMWATER**

**REPORT:** Trustee Manahan made a motion to authorize the Mayor to sign a proposal from W-M Engineering to prepare the Annual Storm Water Report at a cost not to exceed \$500. The

motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the proposal. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

#### **CHANGE MAY**

**BOARD MTG:** Trustee Tallman explained that the regular May Board meeting falls on Memorial Day this year and made a motion to change the date of the May meeting from the 4<sup>th</sup> Monday of the month, May 25<sup>th</sup>, to the 3<sup>rd</sup> Monday of the month, May 18<sup>th</sup>. The motion was seconded by Trustee Manahan. Mayor Curtin asked if there was any discussion on changing the meeting date. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

#### **IMA WITH ONONDAGA**

**COUNTY:** Trustee Manahan made a motion to authorize the Mayor to sign Intermunicipal Agreements with Onondaga County regarding both the Sanitary Sewer Pump Station Operation and Maintenance Charges and the Municipal Separate Storm Sewer System. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

#### **AMMENDMENT TO WWTP ENGINEERING**

**AGREEMENT:** Trustee Tallman made a motion to authorize the Mayor to sign Amendment #5 to the Engineering Agreement with MRB Group for the WWTP Improvement Project. This is a no cost change amendment, reallocating existing funds between tasks. Trustee Tallman noted that the project has proceeded quite smoothly, that engineering oversight has been exceptional, and that coordination of all work activities has enabled the plant to operate 24/7 while meeting permit requirements. In addition, there remains a healthy contingency of over \$300,000. Being able to conserve much of the contingency to date speaks to the quality of the design plans and contractors as well as the considerable involvement by the Village on the project. The motion was seconded by Trustee Manahan. Mayor Curtin asked if there was any discussion. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

#### **ANNUAL STORMWATER**

**REPORT:** Trustee Manahan made a motion to table the Annual Storm Water Report until the next regular meeting of the Village Board in May, when W-M Engineering will have completed it. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

#### **UTILITY**

##### **BILLS:**

Trustee Tallman stated that as a result of the ongoing health crisis and the fact that the Village Office has been closed and the work hours for the Village staff reduced by order of the Governor, the Board during its workshop meeting, felt that the deadline for payment of the utility bills for sewer and refuse that residents received this month be extended another 2 months. The original bill was due on 4/30/20. This is because the fiscal year for Onondaga County ends on 5/30 and any outstanding utility charges are re-levied onto the Village Tax Bill. Due to the circumstances mentioned above, Trustee Tallman made a motion that the Village Board approves a proposal that the payment deadline for utility bills be extended to 6/30/20 and that penalty charges for late payment of said bills will not accrue until after the June 30, 2020 deadline. The motion was seconded by Trustee Manahan. Mayor Curtin asked if there was any discussion. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

#### **SCHOOL RESOURCE OFFICER**

**CONTRACT:** Trustee Manahan made a motion to table until the next Board meeting the School Resource Officer Agreements between the Village of Marcellus, the Marcellus Central School District, the Lyncourt Union Free School District, and the Onondaga Central School District. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

## **CHARTER COMMUNICATIONS FRANCHISE**

**AGREEMENT:** Trustee Tallman made a motion to again table the Charter Communications Cable Franchise Agreement until the Village Attorney has been able to negotiate successfully the terms of a new agreement with Charter Communications. The motion was seconded by Trustee Manahan. Mayor Curtin asked if there was any discussion on tabling the agreement. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

## **MAIN STREET**

**GRANT:** Trustee Manahan made a motion to authorize the Mayor to sign a contract between the Village of Marcellus and Onondaga County, whereby the County has agreed to support the Village Main Street Project, which project includes the repaving of two public parking lots as well as a commercial building façade component that will restore, repair or replace the facades of thirteen (13) buildings. Please note that Village property owners submitted thirteen building façade applications and all were approved. The County has also agreed to commit funds for use in connection with the County's goal of improving Village infrastructure County-wide, the funding for this project not to exceed \$288,654 to be paid on a schedule specified in purchase orders issued by the County. The Village, which has been designated the project contractor, agrees to maintain sufficient documentation to reasonably support the use of Grant Funds consistent with the terms and conditions of this agreement, which agreement is available for public inspection in the Village Office. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

## **WINDSTREAM**

**CONTRACT:** Trustee Tallman made a motion to authorize the Mayor to sign a contract with Windstream Company wherein Windstream Company would provide Internet and phone service to all departments (including the Office, Police and WWTP) in the Village of Marcellus, said contract to remain in effect for two years, beginning April 1, 2020. The anticipated savings from that provided by our current provider is estimated to be over 40% and two Village employees, Officer Jeff Fortino and Village Clerk Charnley Abbott, have been largely responsible for researching this agreement facilitating its implementation. The Board would like to thank them for all of their efforts. With the Village Attorney having negotiated successfully the terms of the agreement, with Windstream Company the contract is on file for public inspection in the Village Office. The motion was seconded by Trustee Manahan. Mayor Curtin asked if there was any discussion. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

## **BUDGET**

### **MODIFICATIONS:**

Trustee Manahan 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. 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 Meeting Dates for the month of May has been published. Included is a list of dates for the meeting of the Planning Board and the Zoning Board of Appeals, as well as an announcement of the change in the Town Trash Days schedule. Also included is a notice that the Village Office will be closed on Monday, Memorial Day, May 25, 2020, and that the Olde Home Days Celebration originally planned for June 5<sup>th</sup>, June 6<sup>th</sup>, and 7<sup>th</sup> in the Village and in Marcellus Park has been canceled due to the continuing health crisis throughout the nation. Finally, so that it can be given proper advertisement, the Village Board has decided that the annual Village-wide Garage Sale will be scheduled this year for July 11<sup>th</sup>.

## **UPDATES BY THE**

### **MAYOR:**

Mayor Curtin provided updates on the following subjects:

- a) Utility Bills – If you have any questions regarding this matter, please call the Village Office at 315-673-3112.
- b) Code Officer and Fire Inspection – fire inspections and rental inspections continue, along with vacant house registrations, code violations being issued for litter and rubbish piles, as well as change of occupancy at several sites.
- c) Pedestrian Signs and Benches – have been re-installed on Main Street and elsewhere by the Highway Department. The flags are also displayed in time for Memorial Day.
- d) Compost at the Treatment Plant – will be available on a first-come, first-serve basis. However, residents are able pick up compost but they should also be aware of the fact that construction at the plant still might hinder their ability to pick it up. It would be best for residents to call the treatment plant ahead of time (315-673-4491) to determine when it would be most convenient to pick up compost.
- e) WWTP Upgrades to the plant have been completed, for the most part. While it has been a year of construction, we did not experience much inconvenience or interruption in the plant’s operation and we expect substantial completion by May 15, 2020.
- f) Olde Home Days – unfortunately, has been canceled.
- g) Clean Energy Community – Having been designated as a “Clean Energy Community,” the Village of Marcellus used its award of \$100,000 grant to implement clean energy projects, which included a retrofitting of existing Village lights, including the historic lights on Main, North and South Streets as well as the coach lights on Kinderwood Drive to direct wire LED type fixtures. Other LED lighting retrofits occurred in the Village Hall, the Village Garage and the Waste Water Treatment Plant. The Village has also been able to replace the three wooden coach lights on Orchard Circle recently with new historic lights, which are also LED retrofits.
- h) Sidewalks – last year, the Board approved the extension of the Village-owned sidewalk on Chrisler Street, from where it ended at #9 on the north side to the end of the street, and this year, the Board wanted to extend the sidewalk from where it ends at #12 on the south side to the end of the street, thus completing a pedestrian loop of the entire street. The Board, because of budgetary concerns and other sidewalk issues in other areas of the Village, might have to delay that work on Chrisler for another year. Per the DPW Superintendent’s construction schedule, some new sidewalk will be installed elsewhere pending budgetary considerations.
- i) Creek Walk – Fred’s Trail has reopened and the public has made good use of the walkway during this present health crisis. At first glance, it appears that the winter weather has not caused much damage to the trail. There were some hardy people who braved the elements to walk the trail this winter, although it was not officially open. We welcome the spring as well as those who will take advantage of this gem in our community. If some residents are not familiar with the project, we urge them to click on the home page of the Village website <http://villageofmarcellus.com/> and then on Village News.
- j) Street repairs and Tree removals – per the DPW Superintendent’s schedule, repairs will be made to First Street, which saw some serious damage over the winter and some fiber micro paving on Reed Parkway and Maple Street, pending budgetary considerations. We are not sure if CHIPS money will be available this year because of State and Local budget deficits. We are hopeful that the drainage cut on West Main Street, resulting from the installation of 1,000 feet of storm water pipe by the Village in January, will be paved by the County during its planned re-paving of Main Street this spring/summer. Also, tree removals are planned, per the DPW Superintendent’s schedule, pending budgetary considerations.

- k) Flower Boxes – the new flower boxes that were constructed three years ago by Kyle Denka as part of his Eagle Scout project have weathered very well. They will be filled again this year, using compost from WWTP, giving a good indication of the value of the compost. Kathy Welsh will again be instrumental in the plantings in these boxes using flowers that she has both grown from seed as well as some that she will or has purchased.
- l) Earth Day Cleanup – the Village were hopeful that an Earth Day cleanup of the Village in April, an annual event that involved students from Heffernan Elementary School would again take place. Unfortunately, this event has been cancelled, another victim of the pandemic presently sweeping across the country.
- m) Spring Brush Pickup Dates – the Village Board and DPW will to continue the same policy as last year for the 2020 Brush Pickup. Brush may be placed at the curb on Saturdays and Sundays for pickup on Mondays from April 6<sup>th</sup> to May 4<sup>th</sup>. In addition, during the summer months (June, July and August), brush may also be placed at the curb on Saturdays and Sundays for pickup on the first Monday of each month during those summer months.
- n) In addition, the Town of Marcellus has announced the 2020 dates for the Trash Transfer Stations and they have been changed, because of the health crisis, from the spring, to the summer, as follows:
  - a. Fridays: July 10, 17, 24, 2020      8:00 am to 3:00 pm
  - b. Saturdays: July 11, 18, 25, 2020      8:00 am to noon
- o) This will also include E-Waste electronic recycling and a Community Shred Day, the latter to be held on Saturday July 25, 2020, from 8:00 AM to Noon. There will be a limit of 5 Boxes per vehicle for the shred day, and this will be held at the Marcellus Town Highway Garage.
- p) The cost for Electronics Waste Days will be \$40 for televisions and monitors over 27”, \$20 for televisions and monitors less than 27” and a \$5 miscellaneous user fee. This year there will be a charge for flat screen televisions. Some items are not accepted including garbage, OCRRA recyclables, liquids or hazardous waste including paint, oil tanks, fuel tanks, motor vehicles, and no contractor debris (home projects only), All items must be secured and covered when transporting to the Town Transfer Station. Also, there will be an Electronics Waste Disposal Day included with the trash days this year and that will require a special permit. Permits are required and are issued through the Town of Marcellus Clerk’s Office. The rates are \$20 for a passenger vehicle, \$35 for a pickup truck, \$45 for a trailer, \$10 for a one-time passenger car, \$3 for tires and \$15 for anything with Freon (such as refrigerators, freezers, air conditioners or dehumidifiers) For more information click on the Town of Marcellus Highway’s website.
- q) SRO Contracts – with the Marcellus Central School District, the Lyncourt Union Freed School District and the Onondaga Central School District has been tabled and will be approved at a later Board meeting.
- r) Election Results – Amid the COVID-19 Pandemic, Governor Cuomo issued an Executive Order delaying Village elections statewide until after June 1, 2020. The Executive Order also called for any elected official holding such position to remain in office until such time as a new election is held. Therefore, Trustee Tallman and Trustee Manahan will remain in office until such time as a new election takes place. It is possible that June 16<sup>th</sup>, the usual date for elections for those Villages that have June elections, will be Election Day in the Village of Marcellus.

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 Trustee Manahan. Mayor Curtin called for a vote. All board members voted aye and the motion carried.

The Regular Board Meeting was adjourned at 7:15 p.m.

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Charnley A. Abbott, Village Clerk