

**REGULAR MEETING OF THE VILLAGE BOARD
OF THE VILLAGE OF MARCELLUS HELD ON
AUGUST 24, 2020 AT THE VILLAGE HALL**

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

ABSENT: None

Mayor Curtin asked for a motion to open the regular meeting at 7:03pm. Trustee Tallman made the motion. Mayor Curtin called for a vote. All board members voted aye and the meeting was opened.

**CONSENT
AGENDA:**

The Village Clerk submitted the minutes of the regular board meeting and special meeting for the month of July 2020. The bills on Abstract Sheets #003 for General Fund in the amount of \$139,311.60, Water Fund in the amount of \$0.00, Sewer Fund in the amount of \$16,900.31, Capital Funds in the amount of \$49,509.49, and Trust & Agency in the amounts of \$51,375.00 were audited. The bills totaled \$257,096.40. The Board received the Police Report for the month of July 2020 from Police Chief Bernie Posdiedlik, the Building Inspectors report for the month of July 2020 from Code Official Bill Reagan. The Board acknowledged receipt of the minutes of the Town Board meetings for July 2020. The financial statements as submitted by Village Treasurer Nino Providenti for June 2020 and July 2020 were given to the Board for their review. 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 LGS-01 RECORD RETENTION

SCHEDULE: Trustee Tallman made a motion to approve the following resolution:

WHEREAS The New York State Archives has revised and consolidated its local government records retention and disposition schedules and issued a single, comprehensive retention schedule for all types of local governments titled *Retention and Disposition Schedule for New York Local Government Records* or LGS-1, and

WHEREAS the LGS-1 will supersede and replace:

CO-2 Schedule for use by counties (2006),
MU-1 Schedule for use by cities, towns, villages, and fire districts (2003),
MI-1 Schedule for use by miscellaneous local governments (2006), and
ED-1 Schedule for use by school districts (2004)

NOW, THEREFORE, BE IT RESOLVED that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

BE IT FURTHER RESOLVED, that in accordance with Article 57-A:

- (a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;
- (b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

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.

VILLAGE ELECTION 2020

RESOLUTION: Trustee Manahan made a motion to approve the following resolution:

In the Matter of the 2020 Village Election in
Village of Marcellus, New York

**RESOLUTION DESIGNATION POLLING PLACE IN EACH
DISTRICT, HOURS DURING WHICH POLLS ARE OPEN,
NAMES AND ADDRESSES OF CANDIDATES, OFFICES
AND TERMS NOMINATED FOR, AND ABSTRACT OF ANY
PROPOSITION TO BE VOTED UPON**

WHEREAS, Subdivision 3(b) and (4) of Section 15-104 of the Election Law provides that the Board of Trustees shall adopt a resolution at least seventeen days before any Village Election designating the polling place in each election district, the hours during which the polls shall be open, the names and addresses of all those who have been duly nominated in accordance with Section 15 of the Election Law, for village office by certificate or petition of nomination duly filed with the Village Clerk; and the office and term of such office for which they have so nominated, and abstract of any proposition to be voted thereon;

NOW, THEREFORE BE IT RESOLVED, by the Board of Trustees of the Village of Marcellus as follows:

- (A) Village of Marcellus Election for the year 2020 shall be held at the Village Hall located at 6 Slocombe Avenue, Marcellus, New York.
- (B) The Election shall take place on September 15, 2020. The polls will open at 12:00 o'clock noon and close at 9:00 p.m.
- (C) The names and addresses of those who have been duly nominated for village office, and the office and term of such office which they have been nominated for are as follows:

<u>TRUSTEE</u>	<u>TERM</u>
Timothy P. Manahan 44 North Street Marcellus, NY	2 years (Vacancy)
John J. Murphy 6 Chrisler Street Marcellus, NY	4 years

- (D) There will be no propositions to be voted upon at this election.

BE IT FURTHER RESOLVED, that the Clerk of the Village is hereby ordered to publish a copy of this resolution in the official newspaper of the Village at least ten days prior to the election, and is hereby further ordered to post copies of this resolution in at least six conspicuous public places within the Village, with one of the copies of such notice to be posted at the polling place.

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

INTERMUNICIPAL

AGREEMENT: Trustee Tallman made a motion to approve a continuation of an Intermunicipal Agreement with the Town of Marcellus whereby the Village of Marcellus shall, following prior authorization from the Mayor, authorize its D.P.W. Superintendent to make a positive or a

negative determination, on a case by case basis, a request made by the Town Highway Superintendent, to offer assistance in the form of Village personnel, materials and/or equipment. This Agreement has had a term commencing on August 27, 2018 and ending on June 30, 2019 ("initial term"). The parties shall then have the right to extend this Agreement for an additional term upon the mutual agreement, in writing, of all parties prior to the expiration of the initial term. Both the Village and the Town reserve the right to terminate this agreement for convenience, at any time, upon thirty (30) days written notice. Further details of the IMA are available for public inspection in the Village Office. The motion was seconded by Trustee Manahan. Mayor Curtin asked if there was any discussion on the matter. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

CERTIFICATES OF PUBLIC

SERVICE: Trustee Manahan stated that since 1961, the Conference of Mayors has annually honored public officials who have served a single community for twenty-five years or more by awarding them a "Certificate of Public Service." Three employees of the Village of Marcellus have earned such a certificate including Greg Crysler, who has served as an employee of the Village of Marcellus WWTP for the past 25 years and is currently the DPW Superintendent, Sara Tallman whose public service on the Village ZBA and as a Trustee of the Village of Marcellus totals 25 years, and Kathy Welsh, who has served the Village of Marcellus for 35 years in a variety of capacities as custodian, school crossing guard, office worker and Treatment Plant laborer. Trustee Manahan made a motion to authorize the Mayor to present each of these public service workers, on behalf of the Village of Marcellus and the New York State Conference of Mayors, with a Certificate of Public Service in recognition of their distinguished public service to our community. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the matter. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

REQUEST TO WAIVE VILLAGE FEES AND UTILITY

CHARGES: Trustee Tallman stated that the Board has received a written request from the property owner at 9 Dunlap Avenue, asking that the Board consider adjusting the late payment fees associated with unpaid utility charges. Believing that utility payments were included in her mortgage escrow account and paid by her mortgage lender, late payments increased substantially in the last two years until she was notified by the Village Clerk of the situation. Because of this situation, Trustee Tallman made a motion that the Board forgives half of the late payments due (approximately \$400), with the understanding that utility payments will be paid off completely before the 2021 re-levy. We have also had another resident request to forgive a single late payment fee of \$15 due to a medical emergency and Trustee Tallman made another motion to forgive this late penalty fee in the interest of fairness. The motions were 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 motions carried.

BUDGET

MODS: Trustee Manahan made a motion to approve budget modifications requested by the Village Treasurer transferring revenues and appropriations in the June and July 2020 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

ELECTION: Trustee Manahan stated that Governor Cuomo issued an Executive Order on March 17th delaying Village Elections statewide until the April 28th State Primary. 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 Sara Tallman and Trustee Tim Manahan have remained in office until such time as a new election takes place. The Village had expected that voting for two trustee positions would take place on April 28th, but that was also delayed by the Governor until June and then that was also delayed. At the present time, according to the Governor, the Village election is scheduled for September 15, 2020. Two candidates who had filed petitions some months ago are on the ballot, and include current Trustee Manahan and Chrisler Street resident John (Jack) Murphy and we urge residents to take the time

to vote, from Noon to 9 p.m. The Village requires all voters to wear a mask and follow social distancing rules while visiting the Village Office, which is the polling place. We would also thank outgoing Trustee Sally Tallman, whose steady advice and dedicated service was exceptional during her almost nine-year tenure on the Village Board as well as her 16-year tenure on the Zoning Board of Appeals.

ANNOUNCE VILLAGE

MEETINGS: Trustee Tallman stated that the Village Clerk has printed copies of future meeting dates for the Village for the benefit of residents. Please note that the Village Office will be closed for Labor Day, September 7th, and that there will be a **one-day delay in trash pickup that week**. We also remind residents that a Village election will take place on September 15, 2020 – an election delayed from last March. We also note that the Fall Trash Days are scheduled for Fridays, September 25th and October 2nd 2020, from 8 am to 3 pm and on Saturdays, September 26th and October 3rd 2020, from 8 am to Noon each day. The schedule will also be posted on the Village and Town websites. The trash transfer station is located on the Town property, across from the Town Highway Garage on the East side of Lee Mulroy Road. A user fee will be charged to offset the cost of this service. Permits may be purchased at the Town Clerk's Office, 24 East Main Street, Marcellus, New York during regular office hours, Monday – Friday 9:00 am – 4:30 pm. For more information on trash, please call the Highway Garage – 315-673-3127, and for Permit Information, call the Town Office – 315-673-3269 Ext. 1

UPDATES BY THE

MAYOR: Mayor Curtin and the Board provided updates on the following subjects:

- a) Main Street Paving – earlier in the summer, Onondaga County DOT hired a contractor to mill and pave all of Main Street, from Lee Mulroy Road at the flashing light west to the Village line. While there were some interruptions and traffic delays, the contractor completed the project in less than a week and we applaud the firm for the efforts extended during one of the hottest months on record. The County contractor also paved the drainage cut that was caused by the installation of 1,000 feet of storm water pipe by the Village last January. With that completed, the Village authorized its own contractor to complete paving the residential driveway aprons as well as restoring the grassy areas in the Village right-of-way. This was done and the road is now a showcase for the Village.
- b) Call 9-1-1 – the Police Department reminds residents that they should call 911 if they have any concerns or any questions of what appear to be criminal or other suspicious activity in the Village. By using 9-1-1, our local officer will be notified, dispatched as quickly as possible. Given the fact that our police officers are not on duty 24 hours of every day, using 9-1-1 will cause other police agencies to respond to problems in the Village. In addition, if any resident happens to encounter a door-to-door salesman, please ask that individual to show you the permit that any peddler has to obtain before being allowed to solicit in the Village. If there is no permit, please direct them to the Village Hall and please call the Village Hall to alert our staff.
- c) Another Police Update – Chief Podsiedlik would like to make sure that all residents continue to lock their autos and houses. Recently, both in the Village, but also on the outside, on the periphery of the Village in particular, there have been burglaries – particularly into unlocked automobiles, and property (GPS, other electronics and pocketbooks) has been stolen. Virtually all of these thefts have taken place because autos have been left outdoors and unlocked. If the cars are locked, the thieves usually move on. Please lock your car doors! Also lock your house!
- d) Village Gateway Project – is one that the Board and others have been working on since 2016 – a project that we hope will result in an environmentally positive gateway to our Village. Printed copies of this summary are provided for the benefit of residents and are available in the Village office, as well as on the Village website (click on <http://villageofmarcellus.com> and then on News, then Village News, then Village Gateway Project. While the health crisis interrupted plans during the spring and summer, it is expected that the project will continue when school resumes in the fall.
- e) Striping of Crosswalks – we would note that the NYSDOT is expected to complete its striping of crosswalks on North Street (Rte. 174), prior to the start of

school. Also, please note that a pedestrian crosswalk has been installed on the east side of the Main Street Bridge, This not only helps to provide pedestrian safety for the creek walk, from Station Lane to Limerick Street, and has also helped to slow down traffic entering the Village from East Hill. We might also note that the Village has painted its own crosswalks and parking spaces, prior to school opening.

- f) Code Enforcement and Officer – building inspections, pools and decks, and several properties have been cited for the housing of chickens in the Village and others for lack of property maintenance.
- g) Compost Project – compost continues to be available for residents and if any residents cannot pick up compost during normal business hours, please call the Treatment Plant (315-673-4491) to make an appointment with one of the operators. The operators are available to answer questions and to help load compost for residents.
- h) Sidewalks – it is hoped that some reconstruction of sidewalk on the south side of East Main Street and several other smaller areas of the Village will take place. Budgetary constraints have limited the desire of the Village Board to add other sidewalk repairs in this year's budget.
- i) Street repairs – pending budgetary considerations, some fiber micro paving on Reed Parkway and Maple Street will be considered. We are not sure, however, if CHIPS money will be available this year because of State and Local budget deficits.
- j) Trees – some tree removals are planned, per the DPW Superintendent's schedule, and pending budgetary considerations on First Street, Paul Street and in back of the Village DPW barn. Some tree plantings are expected to take place in late summer or early fall, but the locations have not yet been determined.
- k) School begins – begins soon and we urge residents to be aware of the fact that there will probably be more students walking to school because of changing bus schedules, 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.
- l) Village Taxes – most have been paid, while the amount of unpaid taxes at present, including penalties, totals **\$22,350**, from **26** property owners, a figure somewhat less than previous years. Property owners may continue to pay unpaid taxes to the Village until October 31, 2020, when they will be turned over to the County for reimbursement.
- m) 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 \$208,520 this year, with no increase, as was the case last year. While this represents about half of what the Village used to be provided, until the County took the sales tax revenue from the Villages back in 2010, half is better than nothing. What is of more concern is the fact that the V.I.P. ten-year program, which was to end for the Villages in 2020, was renewed for another ten (10) years, until 2030. For this, we are grateful that the County Legislature and County Executive Ryan McMahon have agreed to continue the program.
- n) Highland Flooding – it appears that the Village's efforts, as recommended by MRB Group regarding the drainage on Highland Drive and related streets – namely, opening the ditches and replacing the driveway culverts along the west side of Highland Drive has been successful. Preventing storm water from jumping the ditches and flooding those properties below and allowing storm water to move quickly to the 24" catch basin at Reed Parkway seems to be working. Property owners should be aware that the ditches must remain open to allow the water to move north to Reed Parkway. Other storm water comes from an area beyond the Village limits and will require a joint effort involving the Village and the Town and town property owners.
- o) Planning Board – did not meet in August since there were no issues or concerns requiring that it meet.

- p) Centro Bus Schedule – has been delayed until mid August because of the need to retrofit busses (Plexiglas separations, etc.) and develop new routes, and has now resumed its intercity bus service connecting Oswego and Cayuga County to Syracuse, (Onondaga County). The resumption of service began on Monday, August 10, 2020, and includes changes that will allow Centro to operate more efficiently. A flyer has been prepared and is available in the Village Office and on the Village website.
- q) Letter to Residents – in mid August, the Village Clerk sent a letter to all Village residents clarifying the billing process for the quarterly utility bill. A number of Village residents are under the impression that their trash and sewer usage utility charges are automatically included in their Village Real Property Tax bill, which are due and payable annually. That is not the case at all. In addition, some Village residents who use an escrow bank as an agent for paying their property tax bill are also under the impression that their utility bills are sent by the Village to their escrow bank for payment at the time their taxes are paid. That is also NOT the case. The utility bills are NOT a tax – they are a usage fee, much like heat, gas, lighting and cable television bills are usage fees and need to be paid when due. Otherwise the bill will accumulate, as will the late payments. This has resulted in several property owners accumulating charges and penalties that are quite high, and will be re-levied to their tax bills next spring. Residents should be aware of this situation and additional copies of the letter, explaining the situation in more detail are on file in the Village Office.

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. Hearing none, Trustee Tallman made the motion to adjourn the meeting, 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 7:25 p.m.

Charnley A. Abbott, Village Clerk