

**REGULAR MEETING OF THE VILLAGE BOARD
OF THE VILLAGE OF MARCELLUS HELD ON
AUGUST 26, 2024 AT THE VILLAGE HALL**

PRESENT: Chad A. Clark, Mayor See List
James P. Curtin, Trustee
Timothy P. Manahan, Trustee
Jeff Brown, Attorney
Charnley A. Abbott, Village Clerk

ABSENT: None

Pledge of Allegiance

Mayor Clark opened the regular meeting at 7:00pm.

**CONSENT
AGENDA:**

The Village Clerk submitted the minutes of the joint meeting for the month of July 2024. The bills on Abstract Sheet #003 for General Fund in the amount of \$43,419.48, Water Fund in the amount of \$0.00, Sewer Fund in the amount of \$27,28.12, Capital Funds in the amount of \$0.00, and Trust & Agency in the amounts of \$4,238.08 were audited. The bills totaled \$75,385.68. The Board received the Police Report for July 2024 from Police Chief Bernie Podsiedlik, and the Building Inspectors report for the month of July 2024 from Code Official Paul Stacey. The Board acknowledged receipt of the minutes of the Town Board meetings for July 2024. The financial statements as submitted by Village Treasurer Nino Provvidenti for June 2024 and FYE 2024 were given to the Board for their review. Trustee Manahan made a motion to approve the consent agenda. The motion was seconded by Trustee Curtin. Mayor Clark asked if there was any discussion on the consent agenda. Hearing none, Mayor Clark called for a vote. All board members voted aye and the motion carried.

RESIGNATION-ANTONINO

PROVVIDENTI: Mayor Clark made a motion to accept, after nearly 14 years as Village Treasurer, the resignation of Antonino Provvidenti and to accept his request to remain as a part time employee at a rate of \$28.90 per hour while a replacement is being trained. Mr. Provvidenti's resignation is effective as of August 19, 2024. The motion was seconded by Trustee Manahan. Mayor Clark asked if there was any discussion on the matter. Hearing none, Mayor Clark called for a vote. All board members voted aye and the motion carried.

PROCLAMATION-ANTONINO

PROVVIDENTI: Trustee Curtin made a motion to approve the following Proclamation:

WHEREAS, the Board of Trustees of the Village of Marcellus would like to recognize the outstanding service of Antonino J. Provvidenti during his 14-year tenure as Village Treasurer from 2010-2024, and;

WHEREAS, the dedication of Antonino J. Provvidenti is evident in the many accomplishments that have occurred in the Village of Marcellus during his tenure as Village Treasurer, and;

WHEREAS, the guidance and advice of Antonino J. Provvidenti, during the terms of three Village Mayors, continues to be evident in many of the projects that have been and will continue to be realized in the Village of Marcellus, and;

WHEREAS the contributions of Antonino J. Provvidenti to this community as a public servant should not go unrecognized in the Village of Marcellus.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Marcellus commends Antonino J. Provvidenti for the outstanding service he extended to his community and to mankind, and;

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Marcellus, and on behalf of its citizens, extends its appreciation to Antonino J. Provvidenti for his dedication and his professional contributions.

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

APPOINTMENT- VILLAGE

TREASURER: Mayor Clark made a motion to appoint Jennifer Plis to a 90-day probationary period in the office of Village Treasurer at a rate of \$25.82 per hour, effective September 3, 2024, after which she will be appointed to fulfil the current term of the Village Treasurer until 2026 with an annual salary of \$47,000. Jen, who resides in the Village with her family, comes to the Village from the private sector, and the Board welcomed her to the Village staff and wished her great success in the position. The motion was seconded by Trustee Curtin. Mayor Clark asked if there was any discussion on the matter. Hearing none, Mayor Clark called for a vote. All board members voted aye and the motion carried.

APPOINTMENT- SPECIAL PATROL

OFFICER: Mayor Clark made a motion to appoint Joseph Lamoureux as a Special Patrol Officer in the Marcellus Police Department. Officer Lamoureux recently retired from the Onondaga County Sheriff Department and will serve as a School Resource Officer in the Tully Central School District. This appointment is effective as of June 25, 2024 and the Village Board wished him continued success as a member of the Marcellus Police Department. The motion was seconded by Trustee Manahan. Mayor Clark asked if there was any discussion on the matter. Hearing none, Mayor Clark called for a vote. All board members voted aye and the motion carried.

IMA W/MARCELLUS

CSD: Trustee Curtin made a motion to continue the Intermunicipal Agreement with the Marcellus Central School District whereby the Village of Marcellus shall 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 Marcellus Central School Superintendent, to offer assistance in the form of Village personnel, materials, and/or equipment. This Agreement had an initial term commencing on August 23, 2021, and ending on June 30, 2022, and shall automatically renew for additional one (1) year terms; provided, however, that if either Party wishes not to renew, such Party must notify the other Party in writing, not later than ninety (90) days prior to the expiration of the term of the Agreement. Further details of the IMA are available for public inspection in the Village Office. The motion was seconded by Trustee Manahan. Mayor Clark asked if there was any discussion on the matter. Hearing none, Mayor Clark called for a vote. All board members voted aye and the motion carried.

SEWER AGREEMENT- TOWN OF

MARCELLUS: Trustee Manahan stated that following an examination of the past agreements, including the most recent in 2014, a new Intermunicipal Agreement between the Village of Marcellus and the Town of Marcellus regarding Sewer Districts #1 and 2, Marcellus Park and the Marcellus Fire Department Facility, has been written using the same formula as the prior agreement. Trustee Manahan made a motion to approve the final draft of the updated 3-year Intermunicipal Agreement and to authorize the DPW Superintendent to present it to the Marcellus Town Council. The motion was seconded by Trustee Curtin. Mayor Clark asked if there was any discussion on the matter. Hearing none, Mayor Clark called for a vote. All board members voted aye and the motion carried.

BALTIMORE RIDGE LETTER

OF CREDIT: Trustee Curtin stated that a Baltimore Ridge site inspection conducted on August 8, 2024 by the Village Engineer was the final pre-requisite required for the release of the final retainage remaining on the Letter of Credit issued by Solvay Bank in the amount of \$62,622.21. Based upon the results of the inspection, the Village Engineer and the Village DPW have conclusively determined that each and every improvement dedicated to the Village by Baltimore Ridge, LLC and its representative, Camex Management Group, (the Developer) have satisfied the Village of Marcellus Site Design and Development Criteria and are hereby accepted. As a result of the foregoing, the Letter of Credit shall no longer be required to be maintained by the Developer as of September 25, 2024, which is the last day of the Maintenance Guarantee period. I make a motion to authorize the Village Treasurer to sign the Letter of Credit Release and submit it to Solvay Bank on behalf of the Village. The

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

BRUSH GRINDING

CONTRACT: Trustee Manahan made a motion to table the brush grinding contract until the September 2024 regular meeting. The motion was seconded by Trustee Curtin. Mayor Clark asked if there was any discussion. Hearing none, Mayor Clark called for a vote. All board members voted aye and the motion carried.

AUTUMN CRUBSIDE BRUSH AND LEAF

PICKUP: Trustee Curtin made a motion to approve the Autumn Bush and Leaf Pickup Dates, as requested by the Village DPW as follows: Curbside **BRUSH** pickup will take place on Mondays, September 16th, September 23rd, and September 30th. After September 30th, brush must be deposited at the compost area next to the Village DPW Garage and will not be picked up curbside. Curbside **LEAF** pickup will take place weekly, on Mondays, beginning October 7th (Tuesday 10/15 & 11/12, due to holidays) through November 12th. After November 12th, residents may collect leaves into large brown paper bags (NO PLASTIC) and place the bags at the curb for pickup, weather permitting. Only leaves bagged in paper leaf bags will be picked up after November 12th. Please remember to always put yard waste on the grass between the sidewalk and the road, and do not rake leaves or brush into the street, but keep them in the Village right of way. Leaves left in the ditches or in the road are very dangerous to motorcycles, hard to clean up, and clog the storm sewers. Residents may drop off brush and leaves anytime (**NO PLASTIC BAGS**) at the Village compost site, located next to the Village DPW garage. If you have any questions regarding this, please call the Highway Department at (315) 673-3112 Extension 5. The motion was seconded by Trustee Manahan. Mayor Clark asked if there was any discussion. Hearing none, Mayor Clark called for a vote. All board members voted aye and the motion carried.

MORTGAGE TAX

APPORTIONMENT: Trustee Manahan made a motion to announce that the Onondaga County Commissioner of Finance has determined that the Mortgage Tax Apportionment for the Village of Marcellus for the period October 1, 2023, through March 31, 2024 amounts to \$5,840.67, which represents a slight increase from last year's apportionment of \$5,398.94.

FALL TRASH

DAYS: Trustee Curtin announced that the Town Board has approved the schedule for the Fall Trash Days, as follows: Fridays September 27th and October 4th and Saturdays September 28th and October 5th, 2024, from 8:00 am – 12:00 noon each day. Permits are required and available from the Town Clerk. There will be no electronic waste collection or a community shred day during this event. I make a motion to approve the trash days schedule and encourage Village residents to take advantage of this opportunity. Information, including fees and permit requirements, is available on both the Town and Village websites. The motion was seconded by Trustee Manahan. Mayor Clark asked if there was any discussion. Hearing none, Mayor Clark called for a vote. All board members voted aye and the motion carried.

VILLAGE IMPROVEMENT

PLAN: Trustee Manahan a motion to continue the Village Infrastructure Program, an agreement whereby the County provides financial assistance to the Village for the construction and maintenance of public improvements, and to submit, as requested, the 2024 Annual Report for the Village of Marcellus of expenditures made using infrastructures grant funds received by the Village as part of the Onondaga County Village Infrastructure Improvement Program. The motion was seconded by Trustee Curtin. Mayor Clark asked if there was any discussion. Hearing none, Mayor Clark called for a vote. All board members voted aye and the motion carried.

RESOLUTION- NY CLASS MUNICIPAL

COOPERATION: Trustee Curtin made a motion, seconded by Trustee Manahan, to approve the following resolution:

WHEREAS New York General Municipal Law, Article 5-G, Section 119-o (Section 119-o) empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, towns and villages, and districts] to enter into, amend, cancel, and terminate agreements for the

performance among themselves (or one for the other) of their respective functions, powers, and duties on a cooperative or contract basis;

WHEREAS the Village of Marcellus wishes to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of August 1, 2023;

WHEREAS the Village of Marcellus wishes to satisfy the safety and liquidity needs of their funds;

Now, therefore, it is hereby resolved as follows: That Chad Clark, Mayor of the Village of Marcellus, is hereby authorized to participate in the NYCLASS program under the terms of the NYCLASS Municipal Cooperation Agreement Amended and Restated as of August 1, 2023.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Mayor Chad A. Clark	Voting Aye
Trustee James P. Curtin	Voting Aye
Trustee Timothy P. Manahan	Voting Aye

RESOLUTION- CLIMATE SMART

COMMUNITIES: Trustee Manahan made a motion, seconded by Trustee Curtin, to approve the following resolution:

WHEREAS, the Village of Marcellus (hereinafter “local government”) believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and

WHEREAS, the effects of climate change will endanger our infrastructure, economy, and livelihoods; harm our farms, orchards, and ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent, and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come,

IT IS HEREBY RESOLVED that the Village of Marcellus, in order to reduce greenhouse gas emissions and adapt to a changing climate, *adopts the New York State Climate Smart Communities pledge, which comprises the following ten elements:*

- 1) **Build a climate-smart community.**
- 2) **Inventory emissions, set goals, and plan for climate action.**
- 3) **Decrease energy use.**
- 4) **Shift to clean, renewable energy.**
- 5) **Use climate-smart materials management.**
- 6) **Implement climate-smart land use.**
- 7) **Enhance community resilience to climate change.**
- 8) **Support a green innovation economy.**
- 9) **Inform and inspire the public.**
- 10) **Engage in an evolving process of climate action.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Mayor Chad A. Clark	Voting Aye
Trustee James P. Curtin	Voting Aye
Trustee Timothy P. Manahan	Voting Aye

PRO-HOUSING COMMUNITY

DESIGNATION: Trustee Curtin stated that in July 2023, Governor Hochul signed Executive Order 30 creating the Pro-Housing Community Program – an innovative policy designed to reward local governments that are working hard to address New York’s housing crisis. Localities must achieve the “Pro-Housing Communities” certification to apply to key discretionary funding programs, including the Downtown Revitalization Initiative (DRI), the NY Forward program, the New York Main Street program. Municipalities can apply for certification based on successful support for housing growth in the past and/or stating a commitment to addressing slow housing growth moving forward. Trustee Curtin made a motion to accept a proposal from the MRB Group for professional services and support, to include the Letter of Intent, data analysis, template completion and resolution coordination as required for certification, for a fee not to exceed \$3,500.00. At this time, the Village Board is aggressively seeking funding opportunities and preparing grant application packages and this certification is time sensitive and necessary to be competitive for State grant funding awards. The motion was seconded by Trustee Manahan. Mayor Clark asked if there was any discussion. Hearing none, Mayor Clark called for a vote. All board members voted aye and the motion carried.

BUDGET

MODS: Trustee Manahan stated there were no budget modifications for the month of June 2024 to be approved, and made a motion to approve budget modifications for Fiscal Year End 2024. The motion was seconded by Trustee Curtin. Mayor Clark asked if there was any discussion. Hearing none, Mayor Clark called for a vote. All board members voted aye and the motion carried.

CHANGE SEPTEMBER MEETING

DATE: Trustee Curtin made a motion to reschedule the September regular Board meeting from September 23rd at 7:00pm to September 30th at 7:00pm due to scheduling conflicts, and the September workshop meeting from September 20th at 9:30am to September 27th at 9:30am. The motion was seconded by Trustee Manahan. Mayor Clark asked if there was any discussion. Hearing none, Mayor Clark called for a vote. All board members voted aye and the motion carried.

ANNOUNCE VILLAGE

MEETINGS: Trustee Manahan announced that the Village Clerk has 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 2nd, and that there will be a one-day delay in trash pickup that week. The Planning Board is tentatively scheduled to meet on Wednesday, September 18th at 7:00pm and there are no Zoning Board meetings scheduled for September.

UPDATES BY THE

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

- The 2024 Main St Grant Program – the Village Board is again pleased to announce that the Village was awarded almost \$250,000.00 for the Onondaga County Community Development Division 2024 Main St Grant Program. There are 8 projects included in the Village Center and this is sure to make a significant impact on the community. These projects will have to follow all normal application and permitting requirements, and some may be referred to the Planning Board as the process unfolds. The Village is most grateful to County Executive Ryan McMahon and the Community Development Division, as well as the Onondaga County Legislature, for providing funds to help revitalize and beautify many parts of the Village of Marcellus, as they did in previous years under the County Main Street Grant program.
- Comprehensive Plan - Public Workshop #1 for the Comprehensive Plan took place on Tuesday, August 13th from 5:00 – 7:30 at the Library. If you were unable to attend in person, workshop materials are available for download on the Village website, and can be emailed to emma.falkenstein@mrbgroup.com. On behalf of the Village Board, thank

you to all that participated in the public workshop and we are grateful for your contributions to the planning process.

- Brush Pick-up – as was mentioned earlier, the Village Board and DPW are going to continue the policy established previously for Brush Pickup. Spring/Summer brush pickup has ended, Village residents should not put yard waste out to the curb for pick-up until pickup resumes on September 16th. Residents are welcome to bring yard waste to the compost pile next to the Highway garage at any time. Also, a reminder to please not sweep yard debris into the road. This often causes storm sewers to become obstructed and creates a serious danger for motorcyclists.
- SRO Contracts – with the Marcellus Central School District, the Onondaga Central School District, the Lyncourt Union Free School District, and the Tully Central School District have been completed and signed by all parties concerned.
- 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 911, 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 911 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 must 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 Clerk to alert our staff.
- Another Police Update – Chief Podseidlik 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 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!
- Green Gateway – is one that the Village, in cooperation with the Town and the School District, has been working on since 2016 – an environmentally positive gateway to our Village. Part of the Green Gateway project involved the installation of a pedestrians-only footbridge crossing the creek from school property to the lower mill site, which is now owned by the Village. This bridge has provided an easy and safe manner for students to cross directly from the campus to the outdoor classroom. Recently, the Village and Town employees installed a split rail fence that will protect the greenspace from damage of motor vehicles that fail to remain in the designated parking area. Motor vehicles have been observed driving and parking the walking paths, particularly near the fishing access points. Student and pedestrian safety, as well as minimizing property damage, is of the utmost importance and the Village hopes that the installation of the fence will help alleviate some of these concerns. The Green Gateway Project is a constant work in progress, and it is expected that it will continue as students return in the fall.
- Compost Project – compost continues to be available for residents, on a first-come-first served basis, 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.
- Planning and Zoning Boards – did not meet in August. In July, the Village Board, Planning Board and Zoning Board of Appeals held a joint meeting and public hearings which resulted in conditional approvals of the site plan, SEQR, and multiple variances associated with the Stewarts Shop to be located at 27 East Main Street. Demolition of the existing structure began last week.

- Back To School – the School year begins soon and we remind residents to be aware of students walking to school, particularly on First Street. Also, the State DOT will begin operation of the flashing lights in the school zone on North Street and the Village Police Department will be even more vigilant in their enforcement of the traffic laws in that area.
- Code Official Updates:
 - Political Signs- a reminder to residents that Section 202-12 of the Village Code states “Political signs may not be posted more than 45 days prior to a primary or general election and shall not require a temporary sign permit.” We ask residents to please refrain from posting political signs on their property prior to September 20, 2024, and again a reminder that signs, regardless of the content, are not permitted in the Village Right-of-way at any time.
 - Baltimore Ridge –
 - 8 Houses have been completed and issued a certificate of occupancy
 - 2 new houses are currently under construction
 - 3 lots have recently sold but building plans have not been submitted
 - Stewart’s Shops –
 - After doing some core sampling Stewarts found some contaminated soil (fuel oil) where they were planning to build the new store.
 - Stewarts is in the process of removing the contaminated soil.
 - Lion Construction Supply & Services has completed the asbestos removal of Nojaims
 - Lion Construction Supply & Services has begun demolition of the Nojaims building.

After concluding with his updates, Mayor Clark asked if there were any comments from the Board. There were none.

ITEMS FROM THE FLOOR:

Mayor Clark asked if there were any items from the floor. Hearing none, Mayor Clark made the motion to adjourn the meeting, seconded by Trustee Curtin. Mayor Clark called for a vote, all board members voted aye and the motion carried.

The Regular Board Meeting was adjourned at 7:19 p.m.

Charnley A. Abbott, Village Clerk

(SEAL)