**REGULAR MEETING OF THE VILLAGE BOARD**

**OF THE VILLAGE OF MARCELLUS HELD ON**

**DECEMBER 17, 2018 AT THE VILLAGE HALL**

**PRESENT:** John P. Curtin, Mayor See List

Sara N. Tallman, Trustee

Kevin F. O’Hara, Trustee

**ABSENT:** Jeffrey Brown, Attorney

Mayor Curtin asked for a motion to open the public hearing at 7:00pm. Trustee O’Hara made the motion. Mayor Curtin called for a vote. All board members voted aye and the hearing was opened.

**NOTICE OF PUBLIC**

**HEARING**: Charnley Abbott, Village Clerk, read the following Public Notice posted in the Eagle Observer to those in attendance:

**PLEASE TAKE NOTICE** that a Public Hearing will be held by the Village Board of Trustees of the Village of Marcellus, 6 Slocombe Avenue, Marcellus, NY 13108 on Monday, December 17, 2018 at 7:00 pm prevailing time, at the Village Hall, 6 Slocombe Avenue, Marcellus, NY 13108 to adopt a resolution, amending Document G – Sewer Rents – of the Village of Marcellus Code Book to increase sewer rents. All interested parties will have the opportunity to be heard at the scheduled hearing. Copies of supporting documents are on file at the office of the Village Clerk.

**MAYOR’S COMMENTS**

**REGARDING SEWER**

**RATES**:

1. The purpose of the public hearing is to allow all interested parties the opportunity to be heard regarding a proposed increase in the sewer rents, allowing the Village Board to adopt a resolution amending Document G of the Village of Marcellus Code Book
2. The background information on the need for this proposed increase in sewer rents continues to be the increased costs resulting from directives and mandates imposed on the Village by the New York State Department of Environmental Conservation (DEC). While increased costs in the transportation and treatment of sewage as well as the operation and maintenance of the Village Sewer System continue to rise, it is the DEC mandate that the Village remove phosphorus from its plant effluent that is causing another increase in sewer rents, the third such increase in three years.
3. From 2014 to 2017, the Village, together with the Town and the School District, were involved in a sewer consolidation project that has resulted in remarkable improvement to the Sewer System, particularly the transmission lines, some of which were over 80 years old. This project has saved much money and would have enabled us to keep sewer rates at an acceptable level, but for new and unfunded mandates from the DEC.
4. A major concern for the DEC is the condition of the Treatment Plant itself, and its inability to adequately reduce the amount of phosphorus that, through its sewer effluent, empties into Nine Mile Creek – a tributary of Onondaga Lake. In order to reduce the amount of phosphorus to an acceptable level, it has been determined by our engineers that a total reconstruction of the Treatment Plant is necessary, at a cost of approximately $7.7 million. This cost would effectively bankrupt the Village, but our petitions, since 2012, for some sort of modification of the mandate by the DEC were rejected. In January 2016, the Village Treatment Plant was given another year to come up with a plan to remove the phosphorus from its effluent. If a plan was not designed, the Village would be labeled “in consent,” meaning that we would be in violation of our permit to operate the plant and be subject to fines and court action.
5. In order to adequately prepare for such an eventuality, the Village Board has found it necessary to build up its sewer fund balance and this proposed increase in sewer rents is the third of several projected increases that have become necessary in recent years.
6. A sewer rate increase, effective January 1, 2019, will be proposed in this resolution, raising the minimum sewer rent from $75.00 per quarter to $100.00 per quarter, $25 more per quarter or $100 more per year. It should be noted that prior to October 2015, sewer rents had not increased since 2007, and we now find it necessary to raise them once again. This increase will cause the average Village residential property owner to pay an additional $25 per quarter – the minimum annual sewer rent will be $400.00 for 5,000 gals/unit. Thereafter charges are on a per gallon basis – the more water consumed, the higher the rate. It might be noted that sewer rates in nearby communities are quite similar and, in most situations, are higher than those in Marcellus.
7. The cost of sewer service provided by the Onondaga County Metropolitan Treatment Plant, by comparison, is now $417 per year, and in the next County budget ~~yea~~r, another increase might be approved. As County officials recently pointed out: “Rates will keep rising to pay for the looming costs of the cleanup of Onondaga Lake, upgrades to treatment plants and replacement of old sewer pipes.” Since our plant empties into an Onondaga Lake tributary, we also become responsible for the cleanup – this, despite the fact that the Lake has now been pronounced, “clean enough in which to swim,” and “cleaner than some of the Finger Lakes.” In addition, “Onondaga County dodged a bill of potentially hundreds of millions of dollars last summer when environmental regulators eased restrictions on the amount of phosphorus that its sewage treatment plant can dump into Onondaga Lake. The regulators accepted the county’s position that so much progress has been made removing phosphorus from the lake that the additional improvements necessary to meet the standard set in 1998 would not be worth the enormous expense.” We in Marcellus might then ask: why is it necessary for us to spend millions of dollars on a Lake that has improved so much?
8. As mentioned earlier, this is the third of several increases that the Board has had to consider in recent years. In order to fund an upgrade to the Sewer Plant totaling approximately $7.7 million, our engineers have projected that the cost per sewer user could potentially be about $490 per year, if no other funding was found. Since we have been able to obtain some grants for this project, the minimum cost per user has been reduced. We have been able to obtain a $5,202,600 short term (30 year), interest-free hardship loan and a $1,379,900 WIIA Grant (formerly called a NYS Water Grant) along with an $80,000 WQIP #11 grant, a $1,000,000 WQIP #14 Grant and an anticipated $250,000 SAM Grant and we continue to actively pursue other grant opportunities as well.

**WWTP OPERATOR’S COMMENTS**

**REGARDING SEWER**

**RENTS**: Greg Crysler, DPW Superintendent, stated that rates have not risen since 2007 because the Village is very pro-active at looking at ways to save money at the WPCP. Despite the Village being very pro-active, the unforeseen and unfunded mandates by the State, the village cannot fund this project without raising rates for sewer users.

**COMMENTS/QUESTIONS**

**FROM FLOOR**: None

Hearing no questions or comments from the public, Mayor Curtin asked for a motion to close the Public Hearing and open the Regular Board Meeting. The motion was made by Trustee O’Hara and seconded by Trustee Tallman. The public hearing was closed and the regular board meeting was opened at 7:03pm.

**RESOLUTION TO INCREASE SEWER**

**RENT:** Trustee Tallman made a motion to approve the Resolution raising the rates for Sewer charges, commencing January 1, 2019, as defined in Document G of the Village of Marcellus Code Book, from $75.00 for 5,000 gals/unit to $100.00 for 5,000 gals/unit, with additional charges to customers who exceed the base charge. Since the Village bills in arrears, this new increase will not become evident until the April 1, 2019 billing. The motion was seconded by Trustee O’Hara. 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.

**CONSENT**

**AGENDA:** The Village Clerk submitted the minutes of the regular board meeting for the month of November 2018. The bills on Abstract Sheets #007 for General Fund in the amount of $36,588.65, Water Fund in the amount of $0.00, Sewer Fund in the amount of $11,049.06, Capital Funds in the amount of $24,868.63, and Trust & Agency in the amounts of $0.00 were audited. The bills totaled $72,506.34. The Board received the Police Report for the month of November 2018 from Police Chief Robert Wicks. The Building Inspectors report for the month of November 2018 was received by the board from William Reagan. The Board acknowledged receipt of the minutes of the Town Board meeting for November 2018. The financial statements as submitted by Village Treasurer Nino Provvidenti for November 2018. Trustee O’Hara 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.

**RESOLUTION TO INCREASE REFUSE**

**RATES:** Trustee Tallman made a motion to approve a resolution to increase Village refuse rates from $45.00 a quarter to $50.00 per quarter, effective January 1, 2019. This is the first such increase in refuse rates in three (3) years, and reflects a need to keep pace with rising costs associated with refuse collection, particularly OCRRA recycling rates. The motion was seconded by Trustee O’Hara. 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.

**AUTHORIZE MAYOR TO SIGN OCRRA**

**CONTRACT:** Trustee O’Hara made a motion to authorize the Mayor to sign a 12-month contract, for 2019 beginning January 1, 2019 and ending December 31, 2019, with Onondaga County Resource Recovery Agency for refuse and recycling pickup within the Village of Marcellus. OCRRA’s Board approved an increase of $6 for the Municipal Solid Waste rate, and increased the C & D disposal rate to $52.00/ton fixed for calendar year 2019 and all haulers serving the Onondaga County community are required to sign the same contract. 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.

**LAKE COUNTRY VETERINARY**

**CONTRACT:** Trustee Tallman made a motion to authorize the Mayor to sign an agreement between the Village of Marcellus and Lake Country Veterinary Clinic Whereby Lake Country veterinary will establish a shelter to house dogs picked up by the Village Dog Control Officer. The cost for boarding and vaccinations of dogs will be billed to the owner of the dog. For stray dogs eligible for adoption, boarding and medicine will be billed to the person adopting the animal. The motion was seconded by Trustee O’Hara. 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.

**MARCELLUS VERTERINARY HOSPITAL**

**CONTRACT:** Trustee O’Hara made a motion to authorize the Mayor to sign an agreement between the Village of Marcellus and Marcellus Veterinary Hospital whereby Marcellus Veterinary Hospital will establish a shelter to house dogs picked up by the Village Dog Control Officer, said contract to include the hospital fees for housing, vaccinating, and caring for stray dogs. 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.

**VILLAGE IMPROVEMENT**

**PLAN:** Trustee Tallman made 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 complete the Application for Financial Assistance provided to the Village by the County of Onondaga and to submit such application by January 1, 2019. The motion was seconded by Trustee O’Hara. 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.

**HEALTH INSURANCE**

**CONTRACTS:** Trustee O’Hara made a motion to note in the minutes that since all the employees elected to renew on the existing Gold 5 plan, there is no need for the Mayor to sign the Health Insurance Contracts with Excellus Blue Cross/Blue Shield, which contracts provide health and dental benefits for Village employees. The Mayor has already signed a copy of the one document that Excellus does require to be updated annually. The Village will cover 90% of the cost of an employee’s benefits, while the employee will pay 10% of said cost. The new contracts and coverage, copies of which are available for inspection in the Village Office, have resulted in an increase of about 2% for health coverage and 0% for dental coverage, beginning in January 2019. Coverage is similar to last year, with little increase in premiums, but some increase in deductibles. 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.

**EXPAND NO PARKING**

**RESTRICTION:** Trustee O’Hara noted that a special emergency Board meeting was held on December 3, 2018, the purpose of which was to implement an emergency No Parking Ordinance on First Street, Meadow Street and Second Street between the hours of 7 a.m. to 3:30 p.m., Monday thru Friday, until at least the spring of 2019. This traffic ordinance became necessary because the increased number of automobiles parked on those streets has made snow plowing virtually impossible. First Street, and the other streets became virtually one-way streets and emergency vehicles would have a very difficult time trying to navigate those streets between those hours. The ordinance has worked very well – students and staff at MCS are now parking on campus, in designated places and the parking situation in and around the school is now fluid. However, we now find it necessary to expand the “no parking” restrictions in the area in order to adapt to the continually changing conditions. Trustee O’Hara made a motion to approve a new traffic ordinance, whereby no parking will be allowed on either side of the upper part of Reed Parkway, between Second Street and Highland Drive, between the hours of 7 a.m. to 3:30 p.m., Monday thru Friday, until at least the spring of 2019. 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.

**SPECTRUM CABLE FRANCHISE**

**AGREEMENT:** Trustee Tallman made a motion to again table the Spectrum Cable Franchise Agreement until the Village Attorney has been able to negotiate successfully the terms of a new agreement. The motion was seconded by Trustee O’Hara. 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.

**MODIFICATIONS OF**

**BUDGET:** Trustee O’Hara made a motion to approve budget modifications requested by Treasurer Provvidenti transferring revenues and appropriations in the General Fund and Sewer Fund. 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.

**CHRISTMAS AND NEW YEAR’S**

**HOLIDAYS:** Trustee Tallman made a motion to allow Village Employees to close the Village Offices at Noon on Monday, December 24, 2018 and at Noon on Monday, December 31, 2018 so that our employees receive time off from work. If the DPW Employees are called in to plow, they will be able to take off another half-day off from work, at the discretion of the DPW Superintendent. These will not be considered as holidays. The motion was seconded by Trustee O’Hara. 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.

**JANUARY 2018 VILLAGE**

**MEETINGS**: Trustee Tallman announced that the list of meetings scheduled for the remainder of December and for January 2019 is available from the Village Clerk for those so interested. The Village Offices will be closed on Tuesday, December 25th, and Tuesday, January 1st for the Christmas and New Year’s Holiday. Because these holidays fall on a Tuesday, there will be a one-day DELAY in trash collection each of those weeks. The Village will also be closed on January 21, 2019 to honor the memory of Dr. Martin Luther King Jr. There will be NO DELAY in trash collection that week. There are also several handouts that are available in the Village Office on Water, Grease in the Waste Waters, and other items of concern.

**UPDATES BY THE**

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

1. F.O.G. (Fats, Oils, Grease) – in the wastewater is a topic that had been much discussed and will continue to be on the WPCP’s agenda in the months ahead. We continue to provide a flyer that emphasizes the need to keep Fats, Oils and Grease out of the sanitary sewer system.
2. Flush-able Wipes – are not flushable and this was demonstrated early in December at the Orange Street Pump Station when the alarm sounded indicating that the pump station was fouled and inoperable. No wastewater was lost from the system and the station was returned to service within three hours thanks to our treatment plant operators’ quick response at 3 a.m. What fouled the pump was feminine hygiene products and flush-able wipes, which DO NOT break down and end up causing a blockage. These items should never be introduced into the sanitary sewer system, since they are inorganic and fail to break down. They should be disposed in a resident’s solid waste as ordinary garbage. Again, please do not flush so-called flush-able wipes.
3. No Parking – November 1st to April 1st – the public should be aware of the fact that as of November 1, 2018, there is no parking allowed on any street in the Village of Marcellus from 2 a.m. to 7 a.m. so that the Highway Department can plow snow. This no parking ban will remain in effect until April 1, 2019. If ticketed by Village Police, the fee will be $35.00. We urge residents to use the Village parking lots for any overnight parking situations.

d. Snow Plowing – as in the past, we would like to alert independent snow plow operators that it is illegal to plow or shovel snow or ice during snow removal operations upon a village sidewalk or other public way. While most of the independent snow plow operators in the Village comply as much as possible with the law, there are some who need to be reminded that if a driveway is being plowed, that snow **CAN NOT** be plowed into the street. **NOR** can the snow be plowed out of a driveway, across the street and into the village right-of-way across from the plowed driveway. Some drivers have claimed that they have no place to put the snow. That, however, is not an excuse to put the snow into the street, nor across the street when plowing. The Village is not responsible for snow that accumulates on a resident’s property and the Village is not responsible for removing snow that has been plowed onto the Village right-of-way. We ask that independent snowplow drivers take this into consideration when they are plowing residential properties in the village. No snow should be plowed onto a village street or sidewalk, and any that has been, accidentally, must be removed before finishing the job.

e. Composting – continues to move along and we would like to thank our operators as they prepare more compost for pickup in the spring.

f. Update on WWTP Upgrades – the $7.7 million treatment plant upgrades mandated by NYSDEC to remove phosphorus from the plant’s effluent continues to be well underway. Construction of two new clarifiers, a new UV tank, a new head works building and modifications to the control building are in progress and on schedule. The financing package includes a $5,202,600 short term (30 year), interest-free hardship loan and a $1,379,900 WIIA Grant (formerly called a NYS Water Grant) along with an $80,000 WQIP #11 grant, a $1,000,000 WQIP #14 Grant and an anticipated $250,000 SAM Grant.

g. In anticipation of WWTP upgrades, the Village Board has increased the sewer rents significantly within the last three years. Having raised sewer rents to offset the cost of design and construction would enable the Village to meet the mandated requirements for phosphorus removal. However, we have found it necessary to approve another sewer rent increase of approximately 33%. This will mean a minimum quarterly sewer rate, for Village sewer users, of $100.00 (from $75.00) and a minimum annual cost of $400 (from $300) and an average annual cost of about $541.39 (from $413.13). The annual cost for outside users is anticipated to be $676.74 (from $516.41). In order to prepare our Treatment Plant for operation well into the 21st century, these increases, while hefty, are unavoidable.

h. Planning Board – the Board does plan to meet on December 19, 2018 to discuss several items, including a request by the Marcellus Methodist Church to replace its outdoor sign with a new LED sign. Planning Board approval for the use of dumpsters and expansion of parking at the North Street Apartment complex on Paul Street, has allowed this project to begin, but weather has prevented it from being completed.

i. Christmas Tree Lighting – on behalf of the Board, I would like to extend special thanks to all who were instrumental in conducting a very successful Tree Lighting on November 30, 2018, in particular our Village Clerk, Charnley Abbott, and our DPW crew and our Police Department.

j. Police Warning – residents should be aware of the fact that some thieves have been active in the Village and Town, following FedEx and other vehicles delivering and leaving packages unattended at various locations and then stealing such packages. Chief Wicks urges residents to be vigilant about such activity and to notify the police if they have suspicions. The Chief reminds everyone, once again - Lock up your houses and cars. The average time it takes for a thief to get inside a vehicle and get out is about 20 seconds. In less than a minute, items may be gone and it isn't until you get into your vehicle that you notice items are gone. This has been going on in other nearby communities as well. Please call the police is you have suspicions or want to report a robbery. After 2 a.m., the Marcellus Police are not on duty and the only responder would be a single Sheriff’s car, whose patrol extends from Onondaga Hill to Skaneateles.

k. Health Care Costs – continue to rise, but not as much as in previous years, and both the Village and its employees will be required to pay, on average, an increase of about 2% for health coverage and 0% for dental coverage, beginning in January 2019. Coverage is similar to last year, with little increase in premiums, but some increase in deductibles.

l. Pension Costs – for next year have been projected by the Village Treasurer to be within the allotted budget amounts. At this time, there appears to be no increase in pension costs for next year.

m. Christmas Trees – will be picked up by the Village Highway Department after the first of the year, probably beginning on January 2, 2019. Residents should place trees in the Village right of way between the sidewalk and the street.

n. Olde Home Days, 2019 (May 31, June 1 and 2) – the first meeting of the 2019 OHD Committee will be held on Thursday, January 3, 2019 at the Welcome Center in the Park, beginning at 6:30 p.m.

o. ZEV Charging Station – the station, installed last year as part of a NYSDEC grant, has a defective screen, although it still charges vehicles, if a consumer has the appropriate app. EV Connect is sending this issue to BTC (the Manufacturer) so that company can send a new screen to Solar Liberty out of Buffalo, and is responsible for maintenance. Once the technician receives the screen and sets a date and time to replace it, the Village will be updated.

p. Clean Energy Community – as was mentioned at earlier Board meetings, the Village of Marcellus has been designated a Clean Energy Community by the New York State Energy Research and Development Authority (NYSERDA). A $100,000 grant has been reserved for the Village of Marcellus to implement clean energy projects. Beginning in October, and for duration of several weeks, this will involve a retrofitting of several 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 have already or will occur in the Village Hall, the Village garage and the Water Pollution Control Plant. We also hope to add six (6) new historic lampposts, with LED type fixtures, to several streets in the Village – 3 on Chrisler Street, and 3 on Paul Street. The Village continues to be most appreciative of the NYSERDA award as well as the efforts of our Village employees in helping to both secure this funding and coordinate the construction project itself. The average annual energy savings for the Village as a result of this project is estimated to be in excess of $20,000.

q. Creekwalk – we might note that the trail is not open nor is it plowed during the winter season. For those interested, please check the Village Website for an update, some photos as well as a video of Fred’s Trail – <http://www.villageofmarcellus.com/creekwalk-news.html>.

r. Other – on behalf of the Village Board, I would extend a very Merry Christmas and wish all our Village residents the joy of family, the gift of friends and the best of everything for the New Year.

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. Trustee O’Hara stated that a Village resident approached him about the new LED light on the corner of Main Street and North Street is not very bright and may cause accident or injury to people crossing the street. The board stated that they would look into to wattage that is available for the streetlights and look for a solution. Hearing no other items from the floor, Trustee Tallman made the motion to adjourn the meeting, seconded by Trustee O’Hara. Mayor Curtin called for a vote. All board members voted aye and the motion carried.

The Regular Board Meeting was adjourned at 7:17 p.m.

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Charnley A. Abbott, Village Clerk