

**REGULAR MEETING OF THE VILLAGE BOARD
OF THE VILLAGE OF MARCELLUS HELD ON
FEBRUARY 27, 2017 AT THE VILLAGE HALL**

PRESENT: John P. Curtin, Mayor See List
Sara N. Tallman, Trustee
Patrick W. Cox, Trustee

ABSENT: Jeff Brown, Attorney

Pledge of Allegiance.

**CONSENT
AGENDA:**

The Village Clerk submitted the minutes of the regular board meeting for the month of January 2017. The bills on Abstract Sheets #009 for General Fund in the amount of \$31,311.91, Sewer Fund in the amount of \$23,174.60, and Capital Funds in the amount of \$60,273.39 were audited. The bills totaled \$114,759.90. The Board received the Police Report for the months of January 2017 from Police Chief Robert Wicks. The Board also received the Building Inspectors Report for the month of January 2017 from Building Inspector Bill Reagan. The Board acknowledged receipt of the minutes of the Town Board meetings for January 2017. The financial statements as submitted by Village Treasurer Nino Provvidenti for January 2017 were given to the Board for their review. Trustee Cox 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.

APPROVE SEWER CREDIT - MARCELLUS

GRANGE: Trustee Tallman made a motion to approve a sewer credit for the Marcellus Grange, located at 15 W. Main Street, because of damages incurred at the Grange Hall on and around October 20, 2016. The Board agreed that the damages were, in part, a result of a sewer main backup. The damages totaled \$267.00 and will be credited to the Grange's sewer account. The motion was seconded by Trustee Cox. Mayor Curtin asked if there was any discussion on approving the sewer credit. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

AUTHORIZE B&L – COMMUNITY

DEV. APPLIC.: Trustee Cox made a motion to deny completion of the 2017 Community Development Block Grant Application by Barton & Loguidice. The reason for the denial stems from the fact that no part of the Village of Marcellus is any longer eligible for funding from Community Development, according to HUD standards. Mayor Curtin expressed that it is unfortunate because many of the streets, sidewalks and other public infrastructure projects were funded through this grant program. The Village of Marcellus no longer meets the low income standards set forth by HUD to be eligible for the grant. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on denying completion of the CDBG application. 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, because of the change in ownership from Time Warner Cable, and 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 Cox. 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.

BUDGET

MODIFICATIONS:

Trustee Cox made a motion to approve budget modifications requested by the Village Treasurer transferring revenues and appropriations in the General and Sewer Funds. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the budget modifications. Hearing none, Mayor Curtin called for a vote. All board members voted aye and the motion carried.

**ANNOUNCE
VILLAGE**

MEETINGS: Trustee Tallman announced that the Village Clerk had printed copies of future meeting dates for the Village for the residents and asked residents to please note that the third meeting of the Olde Home Days Committee would take place on Thursday, March 2 in the Village board room at 6:30pm. She also mentioned that there will most likely be a Special Meeting held in March for the bid opening for construction of the Creek Walk and a Special Meeting, also in March, to award the bid for construction of the Creek Walk. Trustee Tallman added that there will be upcoming budget meetings on March 10 and March 16, both at 10 a.m. and that additional budget meetings may be scheduled, as needed. Daylight Savings Time begins on March 12 and the Village Annual Meeting and Tentative Budget Hearing will take place on Monday, April 3 beginning at 7pm.

Updates by the Mayor:

Mayor Curtin provided updates on the following subjects:

- a. Police Updates – Chief Wicks asked that all residents continue to lock their autos and houses. Last year around this time, both in the Village and Town, there were burglaries – particularly into unlocked automobiles, and property (GPS, other electronics and pocketbooks) were stolen. Most of the thefts took place because autos were left unlocked. If cars are locked, the thieves typically move on. There are only two sheriff's patrols at night, covering the entire southern and western parts of the county. Mayor Curtin commended Village officers for their efforts in providing police service, not only for Village residents, but also for those who live on the border of the Village but pay no taxes.
- b. Flushable Wipes – As the Board has been mentioning for the last few years, products called “flushable wipes” were introduced. The Treatment Plant operatives have indicated that the wipes are not “flushable” and are causing sewer backups in the village on residential properties. A review by Consumer Reports confirmed that these wipes do not break down and will create sewer backups. For residents who use these wipes, please do not flush the wipes down the toilet. They should be discarded into the trash. If the wipes are flushed and cause a sewer backup, the property owner will almost certainly need to contact a plumber since the backup will occur on residential property.
- c. F.O.G. (Fats, Oils, Grease) – in the wastewater is a topic that the Board continues to address at every Board meeting. It is a major concern. The Board urged residents to be extra aware of the problems associated with grease in the sewer system. The Treatment Plant operators also urge residents to scrape grease and food scraps from cooking surfaces into a container and put in the trash or compost them. Do not put grease, fats or oils of any type down the drain or garbage disposal. Do use baskets or strainers in sink drains to catch food scraps and other solids – and then empty them in the trash to dispose. There continues to be an increase of calls from residents who have had sewer backups, mostly attributable to grease buildup and blockage.
- d. No Parking – The Board continues to alert residents that there is no parking on any of the Village streets, from 2 a.m. to 7 a.m., from November 1st to April 1st so that the DPW employees can plow snow.
- e. Snow Plowing – the plowing of Village streets and sidewalks by the DPW has again been exemplary. The Board commended members of the department for their work. Their dedication to the Village and residents is excellent.
- f. Snow Plowing by Independent Snow Plow Operators – as in the past, the Board alerted 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 **CANNOT** 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. Last winter, some drivers claimed that they had no place to put the snow but that was 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. The Board asked 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.
- g. Creek Walk Under Construction – there remains an eight-foot section of the trail to be constructed behind the McClurg Building on Main Street. This will require that a retaining wall be built, asphalt paving, concrete work and pavement striping, which will all be competitively bid. When the Board receives permission from NYSDOT, an advertisement in the local paper and selected journals will take place in March and continue for three weeks. Barton & Loguidice Engineering will review the bids and make a recommendation to the Board before the Board awards the construction bid for the Creekwalk. Construction is expected to begin in April or May, depending on weather.
- h. Budget – the Village Board has begun to work on its 2017-2018 Budget and at this early stage, it appears that things are still somewhat stagnant at the Village level. In January, Village residents received their County tax bill. That bill reflected, as it did last year, a tax reduction for Village residents. The County, similar to past years, has been able to drop that tax because the County, having slashed by more than half, the sales tax revenue that used to go to the Village, is then able to pass on those tax savings to Village property owners in the form of reduced County taxes. Ever since, the Village has had to make up for the revenue taken by the County and then passed onto Village property owners in the form of reduced County taxes. The County did not add any additional VIP monies to the Villages, which may have helped to offset an increase in Village taxes this year.
- i. Property Tax Cap – the Budget is also complicated by the property tax cap of 2%, another State mandate. At the March Board meeting, the Board might have to vote to override the tax cap, to protect the Village from penalty. If the adopted budget varies from the actual budget, resulting in a tax hike of more than 2 percent, the Village would be responsible for a host of penalties for violating the governor's tax cap. The Governor also previously proposed a property tax freeze if the Village stayed under the tax cap and moved towards

consolidation. The Village was not able to stay under the cap last year. The Village might not be able to stay under the tax limit this year as well. There are too many variables in the Governor's tax proposal, and the savings, according to NYCOM, would be minimal.

- j. Waste Water Treatment Plant – in December 2013, the Board conducted a Special Meeting approving a SEQR Resolution relative to authorizing a Bond Resolution in order to borrow up to \$6,000,000 for improvements to the Waste Water Treatment Plant associated with upgrades necessitated by the unfunded mandates for phosphorous removal, required by the NYSDEC. The resolution did not commit the Village to borrow any money, but reserved the right of the Village to borrow the money. The Board is still in the process of making a decision regarding a major upgrade to the Village's Waste Water Treatment Plant, which would satisfy the DEC mandate of treating the removal of phosphorous from the plant's effluent. At the February board meeting, the Board intended to conduct a public or informational hearing to alert residents of the need to borrow approximately \$5.6 million in order to comply with the mandate. The meeting has been delayed until the March board meeting because the Village has not been able to find additional funding for the project.
- k. Increase in Sewer Rates – unless the Village is able to secure additional funding to upgrade the treatment plant, the DEC will most likely issue a consent order. This will almost certainly mean that the Village will have to go to court. The court will, in all probability, order the upgrade. The upgrade of over \$5.5 million can only come from sewer rate increases – the increase will be massive. Village and Town sewer users should be aware of this very distinct likelihood.
- l. Planning Board – has met recently to discuss plans for the building at 24 W. Main Street, recently under new ownership. The Planning Board will meet in March to discuss a change in occupancy at the Grange Hall. The proposed new parking lot at the Marcellus Free Library may also be discussed.
- m. Code Enforcement – many 3-year rental inspections and fire inspections were performed this month. There were also complaints about exposed garbage and debris overflowing from residents trash cans. The Board reminded residents that all garbage must be contained in a proper receptacle, not left in plastic bags at the curb.
- n. Olde Home Days – June 2nd, 3rd and 4th – the first meetings were held in January and February, and the third meeting will be held on March 2, 2017 in the Village Board Room at 6:30pm.

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 Cox made the motion to adjourn, seconded by Trustee Tallman. Mayor Curtin called for a vote. All board members voted aye and the motion carried. Mayor Curtin thanked everyone for coming to the meeting.

The Regular Board Meeting was adjourned at 7:14 p.m.

Dawn M. O'Hara, Village Clerk