

**REGULAR MEETING OF THE VILLAGE BOARD
OF THE VILLAGE OF MARCELLUS HELD ON
FEBRUARY 22, 2021 AT THE VILLAGE HALL**

PRESENT: John P. Curtin, Mayor See List
Timothy P. Manahan, Trustee
John J. Murphy, Trustee
Jeffrey D. Brown, Attorney
Charnley A. Abbott, Village Clerk

ABSENT: None

Mayor Curtin made a motion to open the regular board meeting at 7:02pm, after a public hearing was held to allow all interested parties the opportunity to be heard regarding Local Law #1 of 2021, a proposed amendment to Document B (Lot, Setback, Size Requirements) of the Code of the Village of Marcellus to allow the Planning Board of the Village of Marcellus to determine minimum lot width at the time of subdivision, re-subdivision or lot line adjustment, rather than a particular number, as is the case at the present time. The motion was seconded by Trustee Murphy. Mayor Curtin called for a vote, all board members voted aye and the regular board meeting was opened.

ADOPT LOCAL LAW #1

OF 2021: Trustee Murphy made a motion to approve Local Law #1 of 2021, whereby the Planning Board should determine minimum lot width at the time of subdivision, re-subdivision or lot line adjustment. 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.

CONSENT

AGENDA: The Village Clerk submitted the minutes of the regular board meeting for the month of January 2021. The bills on Abstract Sheets #009 for General Fund in the amount of \$26,817.93, Sewer Fund in the amount of \$36,152.02, Capital Funds in the amount of \$5,275.00 and Trust & Agency in the amount of \$0.00 were audited. The bills totaled \$68,244.95. The Board received the Police Report for the month of January 2021 from Captain Bernie Podsiedlik. The Board also received the Building Inspectors Report for the month of January 2021 from Code Official Bill Reagan. The Board acknowledged receipt of the minutes of the Town Board meetings for January 2021. The financial statements as submitted by Village Treasurer Nino Provvidenti for January 2021 were given to the Board for their review. Trustee Manahan made a motion to approve the consent agenda. The motion was seconded by Trustee Murphy. 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.

MRB PROPOSAL-MEADOW

STREET: Trustee Murphy stated MRB Group has presented a proposal to complete a Survey Phase to obtain all necessary information for the completion of mapping and design along Meadow Street, including topographical survey of the existing utilities, driveway and road surface within the survey corridor in relation to proposed stormwater drainage and road improvements. The Survey Phase will total an amount not to exceed \$9,000 and is to be done before the Design Services Phase, which will total an amount not to exceed \$28,500 for a total of \$37,500. Trustee Murphy made a motion to approve the Survey Phase proposal of \$9,000 submitted by MRB and to postpone approval of the Design Services Phase until such time as the Survey Phase is complete. The motion was seconded by Trustee Manahan. Trustee Murphy asked if there was any discussion. Hearing none, Trustee Murphy called for a vote. All board members voted aye and the motion carried.

EMERGENCY OPERATIONS

PLAN: Trustee Manahan made a motion to adopt the following Resolution:

**RESOLUTION
BOARD OF TRUSTEES
VILLAGE OF MARCELLUS
February 22, 2021**

WHEREAS on September 7, 2020 Governor Cuomo signed New York State Labor Law Section 27-c which requires all New York State public employers to adopt a plan for operations in the event of a declared public health emergency involving a communicable disease, and

WHEREAS “public employer” is defined to include the State of New York and any county, city, town, village or other political subdivision or civil division of the state, public authority, commission or public benefit corporation, or any other public corporation, agency, instrumentality, or unit of government which exercises governmental powers under the laws of the State, and

WHEREAS pursuant to Labor Law Section 27-c, all covered public employers must develop a pandemic operations plan the details of which are on file in the Village Office for public inspection.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Marcellus hereby adopts the Village of Marcellus Public Health Emergency Operations Plan, developed pursuant section 27-c of the New York State Labor Law and in accordance with NYS legislation S8617B/A10832 for use.

The motion was seconded by Trustee Murphy. 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.

**NYS POLICE
REFORM:**

Trustee Murphy stated that Chief Podsiedlik, along with a number of Police Chiefs from neighboring agencies, in response to Governor Cuomo’s Executive Order #203, have combined to present some updates and changes in policies related to use of force, increased transparency regarding use of force and police misconduct complaints, crisis response and stabilization for individuals who may be experiencing behavioral health issues, unbiased policing, interactions with individuals who have intellectual and developmental disabilities, and detained transgender individuals, all of which policies are available for public inspection in the Village Office. Trustee Murphy made a motion to adopt those changes in policy outlined by Chief Podsiedlik in his correspondence to the Board and authorize the Chief to implement those updates and changes in the Village of Marcellus Police Department. 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.

REQUEST TO ADJUST UTILITY

PENALTIES: Trustee Manahan stated that the Board is in receipt of a written request from the former property owner at 11 Wilson Drive, asking that the Board consider adjusting the utility penalties that have accrued for said property since June 1, 2018. The owner states that he was unaware of the billing process and that that the bill would be sent to the County and added to his annual tax bill. The property owner understood this to mean that it was routinely handled that way, and that he was to pay the utility bill annually to Onondaga County, rather than quarterly, as is the custom. Upon receipt of the letter sent by the Village Clerk in August of 2020 to all residents regarding utilities and the re-levy process, the owner realized his error and has asked the board for assistance with the penalties that have accumulated since 2018. The penalties total \$703.66 including \$475.66 for Sewer and \$228.00 for Refuse. The property owner has remitted full payment to the Village for the total amount owed for sewer and refuse charges since 2018. Therefore, Trustee Manahan made a motion to provide some relief and authorize the Village Clerk to eliminate said penalties in the amount owed of \$703.66. The motion was seconded by Trustee Murphy. 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.

SPRING TRASH DATES AND

SHRED DAY: Trustee Manahan announced that the Town of Marcellus has scheduled the 2021 dates for the Trash Transfer Stations as follows: Fridays, April 23rd, April 30th, and May 7th, from 8 a.m. to 3 p.m. and Saturdays, April 24th, May 1st, and May 8th, from 8 a.m. to Noon. Permits are required, prices for which will be determined, and issued through the Town of Marcellus Clerk's Office. The Town Board has also agreed to tentatively have a shred day during the Spring Trash Days. The cost to the Town is to be determined and the Village will share in that cost. There will be no cost to the residents for the shredding. The motion was seconded by Trustee Murphy. 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

MODS: 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 Murphy. 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 Manahan made note of the list of those meetings scheduled for March 2021, which is provided for those so interested. Trustee Manahan stated that The Village Planning Board has scheduled a Public Hearing regarding the Baltimore Ridge Project for March 3, 2021 at the St. Francis Xavier Parish Hall at 7 p.m.

UPDATES FROM THE

MAYOR: The following updates are posted on the Village of Marcellus website and available at the Village Office for any interested party as well.

- a) Police Chief's Dialogue – as a result of the New York State Police Reform and Reinvention Collaborative noted previously, Chief Podsiedlik has penned a letter to Village residents, which letter is posted on the Village website, under Government, Departments, Police Department. This letter highlights the updates and changes that have been implemented in the Marcellus Police Department, in response to the Governor's Executive Order #203. Includes with this letter is an invitation for residents, if they wish, to complete a survey enabling them to provide their thoughts and views on issues related to the Marcellus Police Department.
- b) Meadow Street – as mentioned previously, the Village of Marcellus is proposing a project that will provide storm water drainage and road improvements to Meadow Street. Over the years, larger storm events have resulted in road and backyard flooding in the Meadow Street area. The Village has worked on incremental improvements to try to address these drainage concerns on the west side of the Village and the most recent drainage improvement project on Highland Drive included a new storm water collection system, improvements to roadside swales and road re-paving. These project improvements have resulted in a much lower frequency of storm water issues in this area. The current project proposes to design and install a new storm water collection system on Meadow Street while also reconstructing the road with new base material, asphalt and gutters or curbs. The design will also look to flatten the current high crown on this road in order to improve the overall drainage and future maintenance of this road. Improvements would also include new field inlet(s) and swale improvements where necessary. MRB engineers are heading up the design for this project and are working well with our DPW to review some design and coordination issues and have also been in touch with both NYSEG and OCWA – both have been very cooperative and very interested to replace their mains prior to our project work. Once MRB has a preliminary design and layout in place, they would schedule a time to meet with the Village Board, the Village DPW, Greg and any others with the Village to review the plans and gather any input. While we wait to note what the spring rains will bring, we are cautiously optimistic that our efforts in helping to address the flooding in this area will have been met with some success.

- c) A copy of the Summary of the State's 2021-22 Executive Budget Proposal, issued on February 1, 2021, is on file in the Village Office for public inspection and is also available for inspection on the Village website, under Village News. It should be noted that the Governor has requested \$15 billion in COVID relief aid from the Federal government. Since there is currently no way of knowing what New York State ultimately stands to receive under a new COVID relief package, the Governor's Executive Budget proposal assumes \$6 billion in additional federal aid (\$3 billion allocated to 2021-22 and \$3 billion to 2022-23) which the Division of the Budget believes is at the lower end of possible outcomes. This \$6 billion assumption still drives reductions in nearly every category of the budget, including AIM funding, but to the extent the Federal Government delivers more than the \$6 billion that is assumed, the proposed spending reductions and tax increases would be reversed or modified. Consequently, the Executive Budget proposals are based upon the lower assumption of \$6 billion in additional federal relief.
- d) 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.
- e) No Parking – November 1st to April 1st – the public should be aware of the fact that as of November 1, 2020, 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, 2021. 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.
- f) 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.
- g) Planning Board – will meet in a Public Hearing on March 3, 2021 at St Francis Xavier Parish Hall at 7 p.m. to address Site Plans, Stormwater Pollution Prevention Plan (SWPPP), engineering reports and SEQR documentation related to the Baltimore Ridge Project. This meeting will be open for in-person public attendance unless otherwise directed by Executive Order. Masks are required and social distancing policies will be in effect. This meeting will also be available via Zoom for those unable to attend in person. Meeting information is available on the Village website:
<https://www.villageofmarcellus.com/baltimore-ridge.html>. 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.
- h) Zoning Board – since no issues have been presented, the Village Zoning Board has no plans to meet in March.
- i) Main Street Façade Grants – in the spring of 2020, Onondaga County approved 13 commercial projects and 1 public project under the County Main Street Façade Grant program, a plan that awarded almost \$300,000 in funding for Marcellus businesses. Most of the projects have been completed and property owners have already been reimbursed, including a repaving of the two Village parking lots, remarkable renovations of 17 North Street, 19 South Street, 14-18 West Main, 3 North Street, 60 East Main, 20-22 West Main, 52-56 East Main and 2 East Main Street. Other projects are in the works and some have been

delayed because of material shortages and contractor scheduling but we expect them to be completed within the next several months.

- j) Olde Home Days, 2021 (June 4, June 5 and 6) – the second meeting of the 2021 OHD Committee will be held on Thursday, March 5, 2020 at the Welcome Center in the Park, beginning at 6:30 p.m., tentatively.
- k) Green Gateway Project – is one that we hope will result in an environmentally positive gateway entrance to our Village – at the site of the former woolen mill on North Street. Printed copies of a project 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. While the coronavirus has interrupted and delayed our plans, the Village and the students at MCS continue working on the site and it is hoped that conditions will soon improve so that the project will begin anew in the months ahead.

After concluding with the 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. The motion was made by Trustee Manahan and seconded by Trustee Murphy. Mayor Curtin called for a vote. All board members voted aye and the motion carried.

The Regular Board Meeting was adjourned at 7:16 p.m.

Charnley A. Abbott, Village Clerk

(SEAL)