

**REGULAR MEETING OF THE VILLAGE BOARD
OF THE VILLAGE OF MARCELLUS HELD ON
FEBRUARY 27, 2023 AT THE VILLAGE HALL**

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

ABSENT: Jeffrey D. Brown, Attorney

Pledge of Allegiance

Mayor Curtin opened the meeting at 7:01pm.

CONSENT

AGENDA: The Village Clerk submitted the minutes of the Special Meeting and the Regular Board Meeting for the month of January 2023. The bills on Abstract Sheets #009 for General Fund in the amount of \$50,807.83, Sewer Fund in the amount of \$31,810.21 and Trust & Agency funds in the amount of \$42,492.14 were audited. The bills totaled \$125,110.18. The Board received the Police Report for January 2023 from Captain Bernie Podsiedlik. The Board also received the Building Inspectors Report for the month of January 2023 from Code Official Bill Reagan. The Board acknowledged receipt of the minutes of the Town Board meetings for January 2023. The financial statements as submitted by Village Treasurer Nino Provvidenti for January 2023 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.

TEFFT MEADOWS

UPDATE: Trustee Murphy stated that Onondaga County has released a funding program to address the housing shortages in Onondaga County which is known as O-CHIP (Onondaga County Housing Initiatives Program). Christopher Community asked the Village if it had any objection to allowing them to submit a funding application to Onondaga County for \$250,000 for the development of the Tefft Meadows Apartments project. Since there have been no changes to the project, and there cannot be any changes as the project was submitted for funding consideration by NYS Homes & Community Renewal, Trustee Murphy made a motion to approve this submission and support Christopher Community's application for additional funding for the same project. In terms of timeline for award announcement from NYS Homes & Community Renewal, it is anticipated that the State will make its decision and make an announcement at the end of March 2023. The Village has been told that Christopher Community will keep the Village posted as soon as information is announced. 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.

DESIGN GUIDELINES

REVISION: Trustee Manahan stated that the Village Board determined that it has become necessary for the Design Guidelines, adopted in 1998, to become legally

enforceable Design Standards. When the Village Board adopted the Guidelines, it was with the understanding that the Village did not desire to be too restrictive, and felt that property owners would welcome the freedom to design, and that changes to exterior appearances would have a significant degree of visual “fit” with adjacent buildings. Following a meeting with the Planning Board, the Board of Trustees determined that a general review and update of the existing guidelines is necessary, and its engineering firm, MRB, for a proposal that would assess the current codes from a standpoint of alignment with best practices and desired outcomes, work with Village leadership to identify issues with current guidelines, and identify opportunities for codification. MRB would develop language to address gaps between current guidelines and community expectations, and update language to ensure alignment with current best practices, and potential future needs and New York State law. The proposal includes an update the design guidelines as well as preparation and submittal of the required SEQR documentation. Mayor Curtin made a motion to approve the MRB proposal in an amount not to exceed \$8,700.00. 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

DAYS: Trustee Manahan announced that the Town of Marcellus has scheduled the 2023 dates for the Trash Transfer Stations as follows: Fridays, April 28th, May 5th, and May 12th from 8 a.m. to Noon and Saturdays, April 29th, May 6th, and May 13th from 8 a.m. to Noon. Permits, prices for which will be determined, are required, and issued through the Town of Marcellus Clerk’s Office. The Town Board has also agreed to have an Electronic Waste Collection and to also have a Community 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.

APPOINTMENT OF CODE

OFFICIAL: Mayor Curtin stated that the part time Code Official who was employed by the Village, primarily to do fire inspections, resigned to take a position in another municipality. Upon advertising, the Village was fortunate to have a local contractor make application. Following some training by our Code Enforcement Officer, Bill Reagan, the Village is pleased to announce the appointment of Brett Gary as a part time Deputy Code Enforcement Officer. Brett has been sworn in as Code Enforcement Officer/Building Safety Inspector on a part-time basis, 12-16 hours per week, at a salary of \$24 per hour. Upon certification, Brett’s salary will increase to \$26 per hour. 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.

CODIFICATION SERVICES

PROPOSAL: Trustee Murphy made a motion to approve the proposal by General Code LLC to codify all Village legislation, including a comprehensive and legal review, to include all legislation of a general and permanent nature up to and including Local Law No. 1 of 2023. This codification process will ensure that legislation is up to date and is in line with New York statutes and the current needs of Village residents. In addition to making the overall Code consistent in organization, format, style and content, this process allows Village legislation

to be gathered by topic and systematically arranged into an enforceable code of laws that municipal officials and constituents can easily reference to find and understand the current laws that affect our community. The cost of the codification services is not to exceed \$14,995.00, unless approved by the Board. 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.

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 2023, which is provided for those so interested. Trustee Manahan also stated that the third meeting of the Olde Home Days Committee, 2023, will take place on Monday, March 13, 2023, in the Village Board Room, at 5:30 p.m. Please note also that there are several budget meetings planned for March, including ones on March 7th and March 14th both at 10 a.m. in the Board Room. Additional meetings will be held as needed. Also, Daylight Savings Time will begin on March 12, 2023, and the Annual Meeting and Tentative Budget Hearing will take place on Monday, April 3, 2023, in the Board Room, beginning 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. Notes on the Governor's Budget – Governor Hochul's State of the State Address earlier this month contained several excerpts that affect local government, a summary of which is available for residents and includes the following.

- The New York Housing Compact
- Major Public Safety Initiatives and Investments
- Fix New York's Continuum of Mental; Health Care
- Raise the Minimum Wage Annually
- Cap-and-Invest Program to Combat Climate Change
- Make Child care More Affordable, Accessible, and Fair

One of the key proposals announced by Governor Hochul in her recent State of the State address is the "New York Housing Compact." If enacted, this redesign of the land use approval process in New York – which would allow the State, in certain circumstances, to

override local zoning laws – would have far-reaching impacts on every city and village in New York State.

(Details of these highlights can be found on line at <https://www.governor.ny.gov/programs/2023-state-state>)

- b. 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.

- c. No Parking – November 1st to April 1st – the public should know as of November 1, 2022, 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, 2023. 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 snowplow 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 snowplow 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. Public Hearing – we make mention of the fact that at the regular monthly meeting of the Village Board on March 27, 2023, the Trustees will discuss a moratorium that no exterior changes may be made to commercial buildings in the Village Center zone without first appearing before the planning board, including painting and the replacement of siding or other surface materials. An exception to this would be normal

maintenance such as touching up existing painted surfaces.

- f. 2023 Onondaga County Main Street Funding Program - County Executive Ryan McMahan and the Onondaga County Legislature will again provide additional funding for local revitalization efforts in the Main Street areas in the Village in the 2023 calendar year. The Village prepared an application and submitted to Onondaga County on January 27, 2023. Details of the program are on file for public inspection in the Village Office.
- g. Budget – the Village Board has begun to work on its 2023-2024 Budget and at first glance, it appears that things remain somewhat stable at the Village level. In January, Village and Town residents received their County tax bill and that bill reflected, as it has in past years, a slight tax reduction for Village and Town residents. The County, similar to last year, has been able to drop that tax because the County, which having slashed by more than half, the sales tax revenue that used to go to the Village in 2010, has then been able to pass on those tax savings to Village and Town 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 has added some VIP monies to the Villages this year, for which the Village is grateful, and these have helped to offset an increase in Village taxes this year.
- h. Property Tax Cap – our Budget is also complicated by the property tax cap of 2%, another State mandate, and at our March Board meeting, the Board might have to vote to override the tax cap. Having learned from the experience of several towns, it is sometimes best to override, if only to protect the Village from penalty. Should the adopted budget vary 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. Because the Village might not be able to stay under the tax limit this year, the Board will probably vote to override the tax cap.
- i. Baltimore Ridge Development – continues to move along, and as of this date, all permits have been issued, and development of the site began with the construction of an entrance road, the clearing of a number of trees, and the building of the required storm water detention pond. In addition, sight distance conditions on South Street Road, as required by Onondaga County DOT, have been met and the installation of utilities (water, sewer, cable, telephone, electric and gas) is complete. Construction of two

houses has also begun. The utilities, roads and sewer infrastructure have not yet been turned over to the Village, and probably not until the spring will this take place. We might also mention that the lighting in the development, about which we have received many complaints as to the brightness of the lighting, has been resolved. The Village recently resolved this issue by having its electrician reduce the lumens and brightness considerably.

- j. Code Enforcement – mostly 3-year rental inspections and fire inspections this month. We would also remind residents that all garbage must be contained in a proper receptacle, not left at the curb in plastic bags.
- k. Olde Home Days, 2023 (June 2, June 3 and 4) – the third meeting of the 2023 OHD Committee will be held on Monday, March 13, 2023, at the Village Hall, beginning at 5:30 p.m.
- l. Green Gateway Project – is one that is 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 expected that conditions will soon improve so that the project will begin anew in the months ahead.
- m. New Business in the Village – an ice cream-deli shop is expected to open soon at #2 East Main. We welcome new businesses to the Village and encourage our residents to patronize them. We also lament the loss of the Main Street Pharmacy and Boise's Café and there are rumors that other businesses will fill the void in the near future.

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 close 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.

Respectfully Submitted by,

Charnley A. Abbott, Village Clerk

(SEAL)