

**REGULAR MEETING OF THE VILLAGE BOARD  
OF THE VILLAGE OF MARCELLUS HELD ON  
FEBRUARY 21, 2024 AT THE  
MARCELLUS SENIOR HIGH SCHOOL**

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

**ABSENT:** None

Pledge of Allegiance

Mayor Murphy opened the meeting at 8:30pm, following the public hearing regarding Local Law 1 of 2024.

**SEQR ON LOCAL LAW**

**1 OF 2024:** Attorney Brown asked for a motion to classify the adoption of the proposed Local Law 1 of 2024 as a Type II action pursuant to provisions of SEQRA, and thereby determine that the action is not subject to further SEQR review. Trustee Manahan made the motion, seconded by Trustee Curtin. Mayor Murphy asked if there was any discussion on the matter. Hearing none, Mayor Murphy called for a vote. All board members voted aye and the motion carried.

**LOCAL LAW 1**

**OF 2024:** Based on the information received at the public hearing held prior to the Board meeting, Mayor Murphy made a motion to adopt Local Law 1 of 2024, a moratorium on land use approvals in the Village Center of the Village of Marcellus until multiple land use regulations are updated and codified, including the Village's comprehensive plan, our design standards for the Village Center, and the Village Code. The moratorium will remain in effect for six months. The motion was seconded by Trustee Manahan. Mayor Murphy asked if there was any discussion on the matter. Hearing none, Mayor Murphy 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 2024. The bills on Abstract Sheet #009 for General Fund in the amount of \$26,830.15, Sewer Fund in the amount of \$18,972.95, Capital funds in the amount of \$9,794.00 and Trust & Agency funds in the amount of \$600.00 were audited. The bills totaled \$56,197.10. The Board received the Police Report for January 2024 from Captain Bernie Podsiedlik. The Board also received the Building Inspectors Report for the month of January 2024 from Code Official Paul Stacey. The Board acknowledged receipt of the minutes of the Town Board meetings for January 2024. The financial statements as submitted by Village Treasurer Nino Provvidenti for January 2024 were given to the Board for their review. Trustee Curtin made a motion to approve the consent agenda. The motion was seconded by Trustee Manahan. Mayor Murphy asked if there was any discussion on the consent agenda. Hearing none, Mayor Murphy called for a vote. All board members voted aye and the motion carried.

**COMPREHENSIVE PLAN**

**PROPOSAL:** Trustee Manahan made a motion to accept the proposal from MRB Group to update the Village's Comprehensive Plan. A comprehensive plan is a vision for the future of a community. It articulates the goals and policies set forth and provides the Village guidance in which to achieve these goals. A comprehensive plan is comprised of base information, vision statements, and a set of master plans that have implications for land use, transportation, and public facilities, including possible future capital improvements, development regulations, or major policies. The comprehensive plan also provides for a legal basis for zoning changes in accordance with the comprehensive plan. The existing Comprehensive Plan was completed in 2007 and has not been reviewed or updated since its adoption 17 years ago. Changes in our community have

affected how people live, work, and travel in the Village. As a result, a review and update to the Comprehensive Plan is overdue and necessary. The cost of said proposal is not to exceed \$48,975.00, unless approved by the Board. The motion was seconded by Trustee Curtin. Mayor Murphy asked if there was any discussion. Hearing none, Mayor Murphy called for a vote. All board members voted aye and the motion carried.

## **ELECTION**

**RESOLUTION:** Trustee Curtin made a motion to approve the following resolution:

**WHEREAS**, Subdivision 3(b) and (4) of Section 15-104 of the Election Law provides that the Board of Trustees shall adopt a resolution at least seventeen days before any Village Election designating the polling place in each election district, the hours during which the polls shall be open, the names and addresses of all those who have been duly nominated in accordance with Section 15 of the Election Law, for village office by certificate or petition of nomination duly filed with the Village Clerk; and the office and term of such office for which they have so nominated, and abstract of any proposition to be voted thereon;

**NOW, THEREFORE BE IT RESOLVED**, by the Board of Trustees of the Village of Marcellus as follows:

- (A) Village of Marcellus Election for the year 2024 shall be held at the Village Hall located at 6 Slocombe Avenue, Marcellus, New York.
- (B) The Election shall take place on March 19, 2024. The polls will open at 12:00 o'clock noon and close at 9:00 p.m.
- (C) The names and addresses of those who have been duly nominated for village office, and the office and term of such office which they have been nominated for are as follows:

MAYOR	TERM
John J. Murphy 6 Chrisler Street	2 years (vacancy)
TRUSTEE	TERM
James P. Curtin 7 Reed Parkway	4 years

- (D) There will be no propositions to be voted upon at this election.

**BE IT FURTHER RESOLVED**, that the Clerk of the Village is hereby ordered to publish a copy of this resolution in the official newspaper of the Village at least ten days prior to the election, and is hereby further ordered to post copies of this resolution in at least six conspicuous public places within the Village, with one of the copies of such notice to be posted at the polling place.

The motion was seconded by Trustee Manahan. Mayor Murphy asked if there was any discussion. Hearing none, Mayor Murphy 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 2024 dates for the Trash Transfer Stations as follows: Fridays, May 3<sup>rd</sup> & May 10<sup>th</sup> from 8 a.m. to Noon and Saturdays, May 4<sup>th</sup> & May 11<sup>th</sup> from 8 a.m. to Noon. Permits are required, and issued through the Town of Marcellus Clerk's Office. There will also be an Electronic Waste Collection for the duration of the event. The Town Board has also agreed to have a Community Shred day on Saturday, May 4<sup>th</sup> at the Town of Marcellus Highway Garage. The cost to the Town is \$775.00. Trustee Manahan made a motion to approve that the Village share half of that cost, \$387.50. The motion was seconded by Trustee

Curtin. Mayor Murphy asked if there was any discussion. Hearing none, Mayor Murphy called for a vote. All board members voted aye and the motion carried.

#### **MS4 STORMWATER**

**REPORTING:** Trustee Curtin announced that the annual and semi-annual MS4 reporting has significantly changed this year. There will be no annual report due in June 2024 for March 2023 to March 2024, instead, the annual reports will now be from January to January. The first semi-annual report for 2024 will cover January 2, 2024 to June 1, 2024 and will be due October 1, 2024. The annual report for 2024 will cover January 2, 2024 to January 1, 2025 and will due April 1, 2025. At this time, those reports have not yet been created and it is uncertain what the requirements will be. W-M Engineering, the firm has completed and submitted the Stormwater reporting on behalf of the Village for several years, is monitoring the situation and will submit a proposal for completion of the annual report when more information is available. An MS4 Notice of Intent (eNOI) is required to be filed at this time, and Trustee Manahan made a motion to approve the cost of \$113.75 for W-M Engineering to complete and submit the eNOI on behalf of the Village. The motion was seconded by Trustee Curtin. Mayor Murphy asked if there was any discussion. Hearing none, Mayor Murphy called for a vote. All board members voted aye and the motion carried.

#### **MCSO SEWER**

**AGREEMENT:** Trustee Manahan stated that the 10-year sewer agreement between the Village and the Marcellus Central School District ended in December 2022. Following an extensive examination of the past historic sewer agreements, including the most recent in 2013, a new agreement was written using the same formula as the prior agreement. Trustee Manahan made a motion to approve the 2024 Sewer agreement with the Marcellus CSD, and authorize the DPW Superintendent to present it to the School Administration. Copies of the proposed 2024 Sewer agreement with Marcellus Central School District are available for inspection at the office of the Village Clerk. The motion was seconded by Trustee Curtin. Mayor Murphy asked if there was any discussion. Hearing none, Mayor Murphy called for a vote. All board members voted aye and the motion carried.

#### **POLICE OFFICER**

**APPOINTMENT:** Mayor Murphy made a motion to appoint Jeremy Baldwin, recently retired from the Syracuse Police Department, as a part-time Police Officer/Patrolman with the Marcellus Police Department, at a rate of \$21.97 per hour. The motion was seconded by Trustee Curtin. Mayor Murphy asked if there was any discussion. Hearing none, Mayor Murphy 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 Curtin. Mayor Murphy asked if there was any discussion. Hearing none, Mayor Murphy called for a vote. All board members voted aye and the motion carried.

#### **ANNOUNCE VILLAGE**

**MEETINGS:** Trustee Curtin made note of the list of those meetings scheduled for March 2024. Please note also that there are several budget meetings planned for March. Additional meetings will be held as needed. The Village Election will be held on March 19<sup>th</sup>, and polls will be open from Noon to 9pm at Village Hall. The Village Offices will be closed on Friday, March 29<sup>th</sup> for Good Friday, and the Annual Meeting and Tentative Budget Hearing will take place on Monday, April 1, 2024, in the Board Room, beginning at 7 p.m.

#### **UPDATES FROM THE**

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

**DPW Updates** – Since it has been a relatively warm winter, both the salt and winter repair budget line items are doing well.

Cheslock Tree Services cut down 3 trees on Reed Street that were recommended on our Tree Inventory List. We are looking into applying for some tree trimming and replacement tree grants thru the DEC.

Last year the treatment plant applied for a free Asset Management Pilot Program thru the DEC and was selected. Earlier this month, CDM Smith began working with operators to start this process. This should take about a year before it is completed.

**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.

**No Parking – November 1st to April 1st** – the public should know as of November 1, 2023, 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, 2024. 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.

**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.

**2024 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 of Villages in the 2024 calendar year. The Village prepared an application and submitted to Onondaga County on February 16, 2024. Details of the program are on file for public inspection in the Village Office.

**Budget** – the Village Board has begun to work on its 2024-2025 Budget and there are workshops scheduled to take place in March. The public hearing regarding the Tentative Budget will be held on Monday, April 1.

**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.

**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 several houses has also begun. The utilities, roads and sewer infrastructure has been turned over to the Village.

**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.

**Olde Home Days, 2024 (May 31, June 1 and 2)** – the OHD Committee has begun planning for the annual event and more information will be available in the coming weeks.

**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 interrupted and delayed our plans, the Village, and the students at MCS continue working on projects to improve the site.

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

**ITEMS FROM THE FLOOR:**

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

The Regular Board Meeting was adjourned at 8:44 p.m.

Respectfully Submitted by,

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Charnley A. Abbott, Village Clerk

(SEAL)