

**REGULAR MEETING OF THE VILLAGE BOARD
OF THE VILLAGE OF MARCELLUS HELD ON
JULY 25, 2016 AT THE VILLAGE HALL**

PRESENT: John P. Curtin, Mayor See List
Sara N. Tallman, Trustee
Jeff Brown, Attorney

ABSENT: Patrick W. Cox

**CONSENT
AGENDA:**

The Village Clerk submitted the minutes of the regular board meeting for the month of June 2016. The bills on Abstract Sheets #002 for General Fund in the amount of \$57,687.32, Sewer Fund in the amount of \$43,471.851, Capital Funds in the amount of \$2,052.16 and Trust & Agency in the amount of \$175.99 were audited. The bills totaled \$103,387.32. The Board received the Police Report for June 2016 from Police Chief Robert Wicks. The Board also received the Building Inspectors Report for the month of June 2016 from Building Inspector Bill Reagan. The Board acknowledged receipt of the minutes of the Town Board meetings for June 2016. The financial statements as submitted by Village Treasurer Nino Provvidenti for June 2016 were given to the Board for their review. Trustee Tallman made a motion to approve the consent agenda. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the consent agenda. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

CROWN MILL FINAL RESOLUTION/

DEMOLITION: Mayor Curtin made a motion to approve a Final Resolution, authorizing the demolition of the remaining parts of the lower mill on the property at 71 North Street. The resolution stated that a public emergency exists permitting the Village to immediately retain a contractor to demolish the Crown Mill without conducting competitive bidding, that Scanlon Truck and Excavating LLC was retained to demolish the Crown Mill at a cost of \$85,250.00 and that a third party was authorized to be retained to provide air monitoring at a cost not to exceed \$700 per day, not to exceed ten days, that the expenses of the demolition, including all professional fees (legal, engineering, bonding and administrative, mailing, etc. costs) incurred in effecting the demolition, will be charged against the property on which the mill is located and will be assessed, levied and collected. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the resolution. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

BOND RESOLUTION – CROWN MILL

DEMOLITION: Trustee Tallman made a motion to approve a Bond Resolution authorizing the issuance of \$100,000 in serial bonds to finance the demolition of the unsafe structures on the property at 71 North Street in the Village of Marcellus. She mentioned that a SEQR Resolution was approved at a public hearing held on June 27, 2016, and a negative declaration was issued regarding the demolition. The bond resolution was not subject to permissive referendum because the length of borrowing will not exceed five years. The demolition project should begin soon, and should take less than a week to complete. The financing will most likely be available within a month. Attorney Brown then explained the procedure for re-levying the expenses for the demolition to the property owners' taxes. He informed the public that after the demolition, Village Treasurer Provvidenti will invoice Vito W. Lucchetti/Crown Mill Restoration, LLC for the cost of the demolition expenses. Attorney Brown recommended that Treasurer Provvidenti should have the invoice delivered in person to Mr. Lucchetti. If Mr. Lucchetti does not pay the invoice, it will be re-levied to his Village property tax bill, which will come out in June 2017. If Mr. Lucchetti does not pay the Village tax bill with the re-levied expenses of the demolition by October 2017, the Village taxes will then be re-levied to the Town and County taxes which will be mailed in January 2018. If Mr. Lucchetti does not pay the Town and County taxes, the County will make the Village whole in April 2018, unless regulations for reimbursement by the County change prior to April 2018. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the bond resolution. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

HISTORICAL SOCIETY - WEBSITE DESIGN

CONTRACT: Trustee Tallman made a motion to approve a contract with North Shore Solutions whereby North Shore Solutions will provide hosting services for the Marcellus Historical Society with 99% uptime for \$200 per year as well as provide a maintenance package for 3 hours for \$90 per year. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the contract. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

APPROVE FENCE LICENSE –

33 E. MAIN ST: Trustee Tallman made a motion authorizing the Mayor to sign a License Agreement with the property owner(s) at 33 E. Main Street, whereby the premises at the property are burdened by a public sewer easement in favor of the Village and the property owner(s) request to encroach upon the easement for the purpose of constructing, placing and maintaining a fence in the approximate location of the easement. The Village agreed to the encroachment by granting a license to construct and maintain the fence, with the understanding, in writing, that the fence will be constructed in such a manner that the Village will have full and immediate access to the easement and other such covenants as contained in the agreement. A copy of the fence license is on file in the Village Office and may be recorded by the Village, at the Licensee's sole cost and expense, in the Onondaga County Clerk's Office. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the agreement. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

RESTART REFUSE BILLING –

16 PAULST. &

31 E. MAIN ST.: Trustee Tallman made a motion to restart billing for refuse for two vacant properties in the Village (16 Paul Street and 31 East Main Street). The action was in keeping with Village policy, which calls for the awarding of one refuse contract for all properties in the Village, unless a specific request, for an approved reason, by a property owner is made to the Board to decline the service. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the matter. Hearing none, Mayor Curtin called for a vote. Both 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 Mayor Curtin. Mayor Curtin asked if there was any discussion on tabling the agreement. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

MONTHLY CELL PHONE STIPEND – F/T

EMPLOYEES: Mayor Curtin made a motion to offer a fixed monthly cell phone stipend, for full-time employees only, in an amount to be determined per month. By offering the stipend, full time employees of the Village will have the option of carrying only one phone, rather than two phones – one for the Village and one for personal use. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the stipend. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

BUDGET

MODIFICATIONS:

Trustee Tallman made a motion to approve budget modifications requested by the Village Treasurer transferring revenues and appropriations in the General Fund. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the budget modifications. Hearing none, Mayor Curtin called for a vote. Both 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 of the Village for the residents. She asked residents to please note that July is Battery Collection Month. Residents should place old alkaline batteries into special yellow bags and place them on top of a closed trash can or trash bag. Do not place the battery bags in the blue bin. She also mentioned that there are still Summer Community Concerts at Marcellus Park – Thursday nights from 7 – 8:30 p.m. at the Annex Pavilion. The concerts are free and appropriate for the entire family.

Updates by the

Mayor:

Mayor Curtin provided updates on the following subjects:

- a. Lower Mill – at a Public Hearing held on June 27, 2016, the Village Board discussed the demolition of the lower mill. At the board meeting, the Board authorized, as a public emergency, and at the recommendation of the Code Enforcement Officer, the immediate demolition of the remaining structures of the lower mill. At the July 25, 2016 board meeting, the Board awarded the bid to Scanlon Trucking and Excavation in the amount of \$85,250.00 and to a third party air monitoring company in amount not to exceed \$700 per day, not to exceed ten days. Also at the July board meeting the Board approved a Bond Resolution for the financing of the demolition of the unsafe structures at 71 North Street. Combining the demolition expenses with the legal, engineering, bonding and administrative (mailing, etc.) costs, the amount, billed to the owner, Mr. William Lucchetti, will total approximately \$100,000. If the Village does not receive payment after the Village Treasurer has invoiced the owner for the total cost of demolition expenses, the Village will take immediate steps to re-levy the costs against the property at 71 North Street to the village tax bill. If the Village tax bill, along with the re-levied expenses of the demolition, is not paid by October 31, 2017, the Village taxes will

be re-levied to the Town and County taxes which will be mailed in January of 2018. If those Town and County taxes are not paid, the County of Onondaga will make the Village whole in April 2018 as long as County law with regard reimbursement to municipalities does not change before April 2018.

- b. Trucks in the Village – There has been a significant decrease in the number of trucks, loaded with gravel, stone and dirt, coming through the Village during the month of July. The Board was informed about the decrease and is optimistic that the trucks traveling through the village will soon end completely.
- c. Creekwalk – the Board continues to consult with Village engineers and NYSDOT to determine if part of the trail could be constructed now, and the remainder constructed when more funds become available. The Board is also looking into having Village and Town highway department employees complete part of the clearing involved. The Board is hoping that construction of the trail will begin this summer. Residents not familiar with the project may go to the Village website <http://villageofmarcellus.com/> and then on Village News for more information.
- d. Code Enforcement Officer – inspections continue for house renovations, sheds, decks and unlicensed vehicles. In addition, several residential properties were cited for lack of property maintenance, as well as some buildings on Main Street.
- e. Compost Project – compost continues to be available for residents. Residents who cannot pick up compost during normal business hours may call the Treatment Plant (673-4491) to make an appointment with one of the operators. The operators are available to answer questions and to help load compost.
- f. Sidewalks – per the Highway Chief’s recommendations, repairs will be made to selected areas on South Street, Bradley Street and First Street, pending budgetary concerns.
- g. Street repairs – per the Highway Chief’s recommendations, repairs to Austindale Avenue and Orchard Street were reconstructed. Budgetary constraints limited the Village Board’s plans to add other street repairs in this year’s budget.
- h. Trees – some tree removals have been or will be done on South and Bradley Streets, and possibly on Orchard Street, along with some trimming. A number of tree plantings are expected to take place in late summer or early fall, but locations have not yet been determined.
- i. Paul Street Project sidewalks – Community Development notified the Board that the Village sidewalk project on Paul Street will be eligible for some funding. The project will include construction of 450 feet of new concrete sidewalk along the north side of Paul Street, between North Street (NYS 174) and Austindale Avenue. Minor drainage improvements, such as cleaning existing drainage pipes and replacement of catch basin grates, are also included. The new sidewalk will eliminate a gap in the existing Village sidewalk system by connecting to existing sidewalks at North Street and Austindale Avenue. Pedestrians, including Seniors who live at Nine Mile Landing and school children, are currently required to walk on the pavement of the roadway. Design is expected to take place over the winter of 2016 and construction completed by July 2017.
- j. TMDL and Phosphorus Removal – at its June meeting, the Board approved a motion to address the DEC mandate to remove phosphorus from the WWTP effluent to a 1.0 mg/L (12 month rolling average) limitation, which will require extensive and very expensive upgrades to the existing Wastewater Treatment Plant. In anticipation of the expense, the Village Board increased sewer rents significantly within the last year. The Board expects that the sewer rate increases will begin to offset the cost of design while continuing to search for new funding for the project.
- k. Planning Board – has not met recently due to few issues being considered. The Paul Street Project appears to currently be on hold.
- l. New Businesses – the Board welcomed a new business to the Village – the North Street Diner, owned and operated by Ashley and Zach Hass. Doors to the diner, located at 3-7 North Street, opened in mid July. The diner has experienced some very welcome crowds. The Board enthusiastically welcomed them to the Village and encouraged residents to patronize the diner.

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. Kevin O’Hara of Teal There’s A Cure publically thanked the Police and Highway Departments for their assistance with the 5K Run/Walk that was held on July 4th in Marcellus Park. The Board conveyed appreciation to Kevin for taking the time to express his gratitude. Mayor Curtin asked if there were any additional items from the floor. Hearing none, Mayor Curtin asked for a motion to adjourn the meeting. Trustee Tallman made the motion to adjourn, seconded by Mayor Curtin. Mayor Curtin called for a vote. Both board members voted aye and the motion carried. Mayor Curtin thanked everyone for coming to the meeting.

The Regular Board Meeting was adjourned at 7:25 p.m.