**REGULAR MEETING OF THE VILLAGE BOARD**

**OF THE VILLAGE OF MARCELLUS HELD ON**

**JULY 29, 2019 AT THE VILLAGE HALL**

**PRESENT:** John P. Curtin, Mayor See List

Sara N. Tallman, Trustee

Kevin F. O’Hara, Trustee

Jeff Brown, Attorney

**ABSENT:**  None

Mayor Curtin asked for a motion to open the regular board meeting at 7:03pm, after a public hearing was held regarding the Special Use Permit for #17 North Street. Trustee O’Hara made the motion, seconded by Trustee Tallman. Mayor Curtin called for a vote. All board members voted aye and the meeting was opened.

**SPECIAL USE**

**PERMIT:** Trustee Tallman made a motion to grant a Special Use Permit to the owners of the property at #17 North Street to complete the remodeling of said property as outlined in the Site Plan Application for a multiple dwelling in the Village Center, as required by the Village Code. Trustee Tallman stated that the Village Board has reviewed the application for a Special Use Permit, as well as the Site Plan Approval by the Village Planning Board, and noted that the application conforms to those standards in a manner appropriate to the particular circumstances, in addition to all applicable standards prescribed in the rules and regulations of a Special Permit process. The motion was seconded by Trustee O’Hara. 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 held in June 2019. The bills on Abstract Sheet #002 for General Fund in the amount of $70,463.89, Sewer Fund in the amount of $24,679.51, Capital Funds in the amount of $207,520.53, and Trust and Agency Funds in the amount of $458.00 were audited. The bills totaled $303,121.93. The Board received the Police Report for the month of June 2019 from Police Chief Robert Wicks. The Board also received the Building Inspectors Report for the month of June 2019 from Code Official Bill Reagan. The Board acknowledged receipt of the minutes of the Town Board meetings for June 2019. The financial statements as submitted by Village Treasurer Nino Provvidenti for Fiscal Year End 2019 were given to the Board for their review. Trustee O’Hara 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.

**RESOLUTION-WEST MAIN STORM WATER**

**DRAINAGE:** Trustee Tallman made a motion approve a Resolution, authorizing the Village of Marcellus Department of Public Works to immediately cause the removal and/or replacement of the storm water drainage pipes on a portion of the southern side of this road (also known as County Rt. 41), from #15 West Main (the Grange) west to the Village line. The Board of Trustees has decided that this is a public emergency and that the Village will need to remove and/or replace 1,000’ of drainage pipes or remove the collapsing pipes and leave this an open ditch, similar to that on the northern side of the road, that the conditions on the shoulder of the road at this time present a “clear and imminent danger to the life, safety or health of any person travelling by auto on this stretch of the road as well as hazardous conditions for those whose property abuts this road on the southern side, unless the storm water drainage pipes are removed and/or replaced as soon as possible,” and that a public emergency exists, permitting the Village to immediately retain a contractor to remove and/or replace the storm water drainage pipes without conducting competitive bidding, bypassing the usual procurement policy of the Village. The Village Board of Trustees proposes this resolution and awards the bid for removal and/or replacement of the storm water drainage pipes to North Country Contractors at a cost of $100,000.00. The motion was seconded by Trustee O’Hara. 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.

**SEQR**

**RESOLUTION:** Trustee O’Hara made a motion to approve a resolution determining that the removal and/or replacement of storm water drainage pipes on West Main Street in the Village of Marcellus constitutes a Type II action under the New York State Environmental Review Act and will not have a significant effect on the environment and require no further environmental review. The motion was seconded by Trustee Tallman. 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.

**APPROVE BOND**

**RESOLUTION:** Trustee Tallman made a motion to approve a Bond Resolution authorizing the issuance of $100,000 serial bonds to finance Removal and/or Replacement of Storm Water Drainage Pipes on West Main Street. In addition, the bond resolution is not subject to permissive referendum because the length of borrowing will not exceed five years. The drainage project should begin this summer or fall, and should take less than a week to complete, if the County can provide traffic control for that length of time. The financing should be available within a month. The motion was seconded by Trustee O’Hara. 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.

**PARKING ON SCOTCH**

**HILL:** Trustee O’Hara stated that the Village Board has received several complaints regarding cars that frequently park on the northern side of Scotch Hill, known as Sheehan Road in the Town. There have also been several reports of near accidents caused by traffic being forced to leave the designated travel lane due to the location of parked vehicles. In the early morning hour, Scotch Hill is a major route of travel for school busses, further adding to the problem of visibility and lack of room for safe vehicular traffic during the school year in particular. In addition, residents of Scotch Hill Road have expressed concern about exiting their own driveways for fear that they will hit parked cars or be struck by a vehicle travelling down the hill. Up to this point, the Village has taken the position that the southern side of the road has always been in the Village and the northern side of the road has been in the Town, preventing the Village from addressing the problem directly. After having discussed the issue with the Town Board and Town Supervisor, we have received notice from the Town that the road, which is also a County road, is in the Village and that it would be up to the Village to deal with any traffic or parking issues on that road. The Board examined the annexation map of 1906, and it appears from the described property, that Scotch Hill Road was included within the annexation boundary described and approved following a special election for annexation on 24 April 1906. The Village attorney also consulted with NYCOM to investigate the legality of the matter. We received assurance that the Village Board is legally entitled to set and enforce the speed limit on County roads which run through the Village, as well as impose parking restrictions on County roads that run through the Village. Trustee O’Hara made a motion to have the Village Police enforce the 30-mph speed limit currently in effect on Scotch Hill Road, as well as prohibit parking on the northern side of Scotch Hill Road, as it is already prohibited on the southern side of the road, from North Street east to Dublin Road. The motion was seconded by Trustee Tallman. 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.

**PARKING RESTRICTIONS:**

Trustee Tallman made a motion to update the 2012 Village of Marcellus Parking Restrictions in the Village Code so that they reflect the changing character of the Village. In particular, the 2-hour parking restrictions will be changed from 8:30 a.m. to 5:30 p.m., to 6 a.m. to 6 p.m. The motion was seconded by Trustee O’Hara. 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.

**SRO**

**CONTRACTS:** Trustee O’Hara made a motion to authorize the Mayor to sign the School Resource Officer Agreement between the Village of Marcellus and the Lyncourt Union Free School District and with the Onondaga Central School District, whereby the School Districts and the Village have determined that it is in their mutual best interests to enter into this Agreement to provide for the assignment of three officers of the Marcellus Police Department to serve as School Resource Officers in the Lyncourt Union Free School District and Onondaga Central School District. A copy of the agreement is on file in the Village Office for public inspection. The motion was seconded by Trustee Tallman. 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.

**FIXED MONTHLY CELLPHONE**

**STIPEND:** Trustee Tallman made a motion to continue to offer a fixed monthly cell phone stipend, for full-time employees only, in an amount to be determined per month. The reasoning behind this motion is to have full time employees of the Village carry one phone rather than carry two phones, one for the Village and one for personal use. The motion was seconded by Trustee O’Hara. 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.

**SPECTRUM CABLE FRANCHISE**

**AGREEMENT:** Trustee O’Hara made a motion to again table the Spectrum Cable Franchise Agreement until the Village Attorney has been able to negotiate successfully the terms of a new agreement. The motion was seconded by Trustee Tallman. 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 MODIFICATIONS:**

Trustee Tallman made a motion to approve budget modifications for Fiscal Year End 2019 requested by the Village Treasurer transferring revenues and appropriations in the General and Sewer Funds. The motion was seconded by Trustee O’Hara. 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 Tallman announced that the Village Clerk has printed copies of future meeting dates for the Village for the benefit of residents. A reminder to residents that July is Battery Collection Month. Residents should place old alkaline batteries into special yellow bags and place them on top of a closed trashcan or trash bag. Do not place the battery bags in the blue bin. There continue to be a number of Summer Community Events at Marcellus Park – Thursday nights from 7 – 8:30 p.m. at the Annex Pavilion. Concerts are free and appropriate for the entire family.

**UPDATES BY THE**

**MAYOR:** The following updates are available on our website, [www.villageofmarcellus.com](http://www.villageofmarcellus.com)

1. West Main Street Drainage – the storm water drainage pipes on this County Road will need to be replaced this summer. While the road belongs to the County (Rt. 41), the Village has been told that the area on either side of the highway is the responsibility of the Village. We have decided that this is an emergency and we will need to replace 1,000’ of drainage pipes or remove the collapsing pipes and leave this an open ditch, similar to that on the northern side of the road. This is a very expensive project for the Village, one that requires the Village to secure bonds in order to pay for it. Our engineers have completed the survey and base mapping, and have put together plans including the existing utility information, maintenance and protection of traffic plan and detail & notes sheets, per the direction from the County. They are also running some calculations to verify the pipe sizing requirements. Once the televising info from Jamko is received, we should be able to wrap things up and have a set of plans to review and then submit to the County. We are hopeful that the County will assist the Village by providing road closure and detours on this well-traveled road but there is no guarantee.
2. Sidewalks – last year at this time, we informed residents of the intention to finish some amenities to the Village right of way on Chrisler Street this summer. The overhead cobra streetlights on Chrisler Street have been replaced with new historic lampposts that have LED components similar to those that presently line North, South and Main Streets in the Village. This summer, the Board proposes to reconstruct the entire Village-owned sidewalk on the north side of Chrisler Street, from North Street to the end of the street, including that portion from where it presently ends at #9 to the end of the street. Next year, we hope to reconstruct the entire Village-owned sidewalk on the south side of Chrisler Street, from North Street to the end of the street, including that portion from where it presently ends at #12 to the end of the street, thus completing a pedestrian loop of the entire street. It is also our hope that in the near future, a pedestrian trail might be created at the end of Chrisler Street, on Village owned property, which would connect with and provide access to the Marcellus Free Library. Also, per the DPW Superintendent’s schedule, some new sidewalk will be installed elsewhere pending budgetary considerations.
3. WWTP Upgrades – to the plant are still going on, with an anticipated conclusion by the end of September 2019. While it has been a year of construction, we did not experience much inconvenience or interruption in the plant’s operation. There have been several change orders to the project, the most recent involving electrical construction with Myriad Construction and HVAC with King & King Mechanical, the cost for both of which has been absorbed by the contingency portion of the budget. Funding for the project can only come from sewer rate increases and those rates were increased 30% recently. This increase has brought the average annual rate up to $541.39 – a quarterly increase of about $25.00, or an annual increase of about $100.00. This is an average estimate, since sewer rates are based on water usage in the Village. For Town sewer users the increase will be even more astronomical, given that outside users pay an additional 25% over that of the average Village sewer user. An average town sewer user will pay approximately $676.74 annually, an annual increase of about $128.00, beginning in 2020.
4. Brush Pick-up – as was mentioned at earlier meetings, the Village Board and DPW are continuing the policy begun last year, for the 2019 Brush Pickup. Spring brush lasted from April 3rd to May 8th. During the summer months (June, July and August), brush may also be placed at the curb on Saturdays and Sundays for pickup on the first Monday of each of those summer months. Village residents should not put yard waste out to the curb for pick-up until then. They are welcome to bring debris to the compost pile next to the Highway garage. Also, please do not sweep yard debris into the road. This often causes storm sewers to become obstructed.
5. Message from County Legislator – Julie Abbott-Kenan, our 6th District County Legislator, recently sent an email to the Village that at the Planning and Economic Development Committee meeting of the County Legislature, held on July 10, 2019, sale of the property for the former Crown Mill site and future site of what we hope to be the Village Gateway Project, was unanimously approved! She reported that it would be moving forward to "Ways & Means" Committee on Friday, July 12th, and then on to the full legislature soon, probably in August. We are excited to see this project moving forward, the collaboration for which, between the Village the School and the County, has been extraordinary. At our August board meeting, we hope to provide a summary to the Village residents of what the Board and others have been working on since 2016- a project that we hope will result in an environmentally positive gateway to our Village.
6. Code Enforcement Officer – inspections continue for house renovations, sheds, decks and unlicensed vehicles. In addition, several properties have been cited for lack of property maintenance including uncut grass, unsanitary dog deposits as well as some buildings in need of repair or painting.
7. Compost Project – compost continues to be available for residents and if any residents cannot pick up compost during normal business hours, please call the Treatment Plant (315-673-4491) to make an appointment with one of the operators. The operators are available to answer questions and to help load compost for residents.
8. Trees – some tree removals have been or will be done on Reed Street and Main Street and some tree plantings are expected to take place in late summer or early fall, but the locations have not yet been determined.
9. Planning Board – met recently for Site Plan Review of #17 North Street as well as for #4 East Main Street.
10. Olde Home Days – we would like to thank the Olde Home Days Committee for its generous donation of $1,000 to the Village and its beautification fund. As it has done for a number of years, the OHD Committee, following a successful celebration, donates funds to both the Village and the Town of Marcellus for all of the efforts that both municipalities extend in helping to ensure a successful event. On behalf of the Village Board, I again thank the OHD Committee for its generosity as well as for all of the time and effort that members of the Committee, past and present, put forth in helping to keep this notable celebration as successful as it has been for the last two decades
11. Other – Trustee O’Hara thanked residents, the Village Police Department and the Town Board for its help in conducting a very successful “Teal There’s A Cure” race on July 4th.

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 Tallman made the motion to adjourn, seconded by Trustee O’Hara. Mayor Curtin called for a vote. All board members voted aye and the motion carried.

The Regular Board Meeting was adjourned at 7:18 p.m.

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 Charnley A. Abbott, Village Clerk