

**REGULAR MEETING OF THE VILLAGE BOARD  
OF THE VILLAGE OF MARCELLUS HELD ON  
MARCH 27, 2017 AT THE VILLAGE HALL**

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

**ABSENT:** Patrick W. Cox

Pledge of Allegiance.

Mayor Curtin asked for a motion to open the regular board meeting at 7:15pm, after a series of public hearings were held on Local Law #1 of 2017, Local Law #2 of 2017 and Local Law #3 of 2017. Trustee Tallman made the motion, seconded by Mayor Curtin. Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

**ADOPT LL#1 OF 2017:**

Trustee Tallman made a motion to adopt Local Law #1 of 2017, authorizing a property tax levy in excess of the limit established in General Municipal Law Section 3-c. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on adopting Local Law #1 of 2017. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

**ADOPT LL#2 OF 2017:**

Trustee Tallman made a motion to adopt Local Law #2 of 2017, which repeals and replaces Chapter 106, Section 2 – Health and Sanitation, Cans and Containers of the Village of Marcellus Code Book. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on adopting Local Law #2 of 2017. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

**NEGATIVE DECLARATION/**

**ADOPT LL#3 OF 2017:**

Trustee Tallman made a motion approving a resolution determining that the adoption of Local Law #3 of 2017 will not have any significant adverse impact on the environment and will require no further review. Mayor Curtin announced that the Village had assumed the role of Lead Agency and completed the required SEQR Form, thus resulting in the determination of the Negative Declaration. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the Negative Declaration. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

Trustee Tallman also made a motion to adopt Local Law #3 of 2017, which approves a change in the zoning code, to promote pedestrian interest and continuity on Main Street of the Village of Marcellus. Mayor Curtin mentioned that the adoption of the law was contingent on Onondaga County Planning Board approval. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on adopting Local Law #3 of 2017. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

Update: The Board received approval from the Onondaga County Planning Board on March 29, 2107.

**CONSENT  
AGENDA:**

The Village Clerk submitted the minutes of the regular board meeting for the month of February 2017. The bills on Abstract Sheets #010 for General Fund in the amount of \$15,147.46, Water Fund in the amount of \$2,308.19, Sewer Fund in the amount of \$4,579.60, and Capital Funds in the amount of \$15,057.18 were audited. The bills totaled \$37,092.43. The Board received the Police Report for the months of February 2017 from Police Chief Robert Wicks. The Board also received the Building Inspectors Report for the month of February 2017 from Building Inspector Bill Reagan. The Board acknowledged receipt of the minutes of the Town Board meetings for February 2017. The financial statements as submitted by Village Treasurer Nino Providenti for February 2017 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.

**SPRING BRUSH**

**DATES:**

Trustee Tallman announced that the Village Board and the DPW are trying something new for 2017 Brush Pickup. Trustee Tallman made a motion to allow brush to be placed at the curb on Saturdays and Sundays for pickup on Mondays from April 3<sup>rd</sup> to May 8<sup>th</sup>. In addition, during the months of June, July and August brush may be placed at the curb on Saturdays and Sundays for pickup on the first Monday of each month during those summer months. Mayor Curtin also provided the public with information on the upcoming Town Transfer Days, including Electronics Waste Disposal and a Shred Day. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on approving the dates. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

## **EAGLE SCOUT PROJECT**

**PROPOSAL:** Kyle Denka presented a proposal to the Village Board for an Eagle Scout Project to replace Village F, lower Boxes. After Kyle's presentation, Mayor Curtin made a motion to approve and fund the proposal of Eagle Scout Candidate Kyle Denka to replace the village flower boxes at a cost of approximately \$900. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on approving and funding the Eagle Scout Project. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

## **ANNUAL STORMWATER**

**REPORT:** Trustee Tallman made a motion to table the Annual Storm Water Report until the next regular meeting of the Village Board in April. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on tabling the report. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

## **BENCHMARKING**

**RESOLUTION:** Trustee Tallman made a motion to approve a Resolution establishing energy benchmarking requirements for certain Village of Marcellus Municipal Buildings. The resolution is part of the Clean Energy Communities program – a \$16 million statewide initiative to help local governments across the state reduce energy consumption and drive clean energy use in their communities. Mayor Curtin explained that approving the resolution will help the Village earn a Clean Energy Community designation and access to grant funding, with no local cost share, to implement additional clean energy projects. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on approving the resolution. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

## **B&L PROPOSAL – PAUL ST.**

**SIDEWALKS:** Trustee Tallman made a motion to approve the design proposal submitted by B&L Engineering for the Paul Street Sidewalk Improvement Project, at a cost not to exceed \$8,800. The project is largely funded through the NYSDOT Multi-Modal Program and the support of NYS Senator John DeFrancisco. The project calls for the construction of approximately 450 linear feet of new concrete sidewalk along the north side of Paul Street, between North Street and Austindale Avenue, as well as the cleaning of approximately 200 feet of existing drainage structures and pipes. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on approving the agreement with B&L. 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.

## **BUDGET**

### **MODIFICATIONS:**

Trustee Tallman 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 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 ANNUAL MTG. & TENTATIVE BUDGET**

**MEETINGS:** Trustee Tallman announced that the Annual Meeting will take place on April 3, 2017 and will include the appointment of non-elected officials, establish regular meeting dates, and designate official newspapers and depositories. In addition, a Public Hearing will take place on April 3, 2017 to consider the tentative budget for the Village for the next fiscal year. Approval of the final budget will take place at the next regular Board meeting, on April 24, 2017.

## **ANNOUNCE VILLAGE**

**MEETINGS:** Trustee Tallman announced that the Village Clerk had printed copies of future meeting dates for the Village for the residents and asked residents to please note that the Village Office will be closed on Good Friday, April 14<sup>th</sup>, and on Memorial Day, May 29<sup>th</sup>. Also, Olde Home Days 2017 is scheduled for June 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> and the Committee will continue to meet on the first Thursday of every month, in the Village Board Room. The next meeting is planned for April 6, 2017.

**Updates by the Mayor:**

Mayor Curtin provided updates on the following subjects:

- a. No Parking – regulations during the winter months, which calls for no parking on any Village streets from 2 a.m. to 7 a.m., ends on April 1<sup>st</sup>.
- b. Sign Placement – soon the Highway Department will re-install pedestrian crossing signs on Main Street in the Village. The signs are placed in the road, near the crosswalks, warning motorists that all vehicles must yield to pedestrians who are walking the crosswalk – a New York State law. Hopefully, the signs will make it easier for pedestrians, particularly schoolchildren, to cross Main Street safely as well as cause motorists to slow down as they approach the crosswalks.
- c. Flag Replacement – the American flags which line several of the main streets in the Village are usually replaced every five years due to wear and tear. This Spring, 48 flags with 6 poles and 6 brackets will be replaced in time for Memorial Day and Olde Home Days. The Board thanked American Legion Post #297 and its members for the generous donation of over \$700 to purchase the flags, poles and brackets. The contribution is very much appreciated by the Board. Mayor Curtin expressed that the donation is another excellent example of the commitment of the American Legion to the Village and village residents.
- d. Village Earth Day Participation – the Board announced that the Village will again participate in an Earth Day clean up on Thursday, April 27, 2017, with a rain date of Friday, April 28. Second grade students from Heffernan Elementary School will participate in the event. The Board also welcomed individuals or groups to join in to help clean the Village of any litter lying along the roadside and village rights of way. The Board will meet in front of the Village Hall to distribute bags and gloves. Any residents interested in participating, as a group or an individual can 1:30 p.m. and contact the Village Clerk at 673-3112 for more information.
- e. Utility Bills – the utility bill that residents receive this month is the last bill for the Village fiscal year. Residents should be aware that bills not paid by April 28, 2017 will be re-levied to the tax bill for June 1, 2017. Likewise, for tenants who pay their own bills, payments not made by April 28, 2017, will also be re-levied onto the property owner's tax bill for June 1, 2017. Unlike previous utility bills, payment for this final bill for the fiscal year must be made within the month.
- f. Creek Walk Project – An eight-foot wide section of the trail remains to be constructed behind the McClurg Building on Main Street. This will require that a retaining wall be built, along with asphalt paving, concrete work and pavement striping, all of which will be competitively bid. The Board was granted permission from the NYSDOT to advertise in the local paper, as well as selected journals. The bid advertisements were published in early March. Requests for bids packets will be accepted through April 12, 2017 at 11am, when a special meeting will take place to open the bids. B&L will review all bids and make a recommendation to the Village Board for awarding the bid. Construction is expected to begin in April or May, contingent upon the weather.
- h. Budget – the Village Board is working to finalize the 2017-18 Village Budget in preparation for the upcoming Tentative Budget Hearing. In January, Village residents received their County and Town tax bill. The bill reflected a tax reduction for Village residents, on average about \$10 for a house valued at \$100,000 in the Village. Similar to last five years, the tax reduction was made possible by the County, having slashed by more than half the sales tax revenue that used to go to the Village. The County was then able to pass on those tax savings to Village 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. The Village budget remains far short of what the Board needs to provide adequate services to village residents but the Board does not anticipate a tax increase this year. The Board hopes to propose a village tax amount of \$6.85/1000 of assessed value, which is the same as last year, and which falls within the Governor's mandated tax cap proposal.
- i. Property Tax Cap – as was mentioned, the Village Budget is complicated by the property tax cap of 2%, another State mandate and at the Board's recent workshop meeting, the Board decided to override the tax cap. The Board favors a tax cap, and has proposed to stay below the cap, but a tax freeze is not possible. There is no meaningful relief from the continuous unfunded State mandates and this, coupled with a cap on the Board's ability to raise revenue, makes it very difficult to plan or even survive.
- j. Flushable Wipes Are NOT Flushable!!! – The Board continues to urge residents to avoid using what are called flushable wipes – they are NOT flushable – nor are dental floss, cotton swabs, hygiene products, kitty litter, facial tissue, fats, oils, and grease. All of these items should be put in the trash and only human waste and toilet paper should be flushed. To avoid plumbing problems, which will most likely occur on residential property, not in the Village main, please be aware of this concern. The Board also referenced an Internet video that explains the problems associated with flushable wipes which is posted on the Village website. There is also additional information on the Village website that is invaluable to residents and will help residents understand the importance of putting items in the trash, and not into the sewer.

- k. Homeowner Responsibility for Sewers – property owners should understand that it is their responsibility to maintain the sewer laterals that extend from their homes to the sewer main – typically located in the middle of the road. Sewer laterals are entirely owned by the private property owner, who is responsible for the entire length of the lateral, to the sewer main. The Village assumes responsibility at the sewer main,
- l. Area Code Overlay Approved for 315 Area Code – residents have most likely adjusted to the change in the way they dial calls made within the 315 area code that began February 11, 2017. There has also been a new area code, **680**, assigned to the same geographic region as the existing 315 area code, which now requires the same dialing procedure

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 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 7:35 p.m.

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Dawn M. O'Hara, Village Clerk