

**REGULAR MEETING OF THE VILLAGE BOARD  
OF THE VILLAGE OF MARCELLUS HELD ON  
MARCH 22, 2021 AT THE VILLAGE HALL**

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

**ABSENT:** None

Pledge of Allegiance

Mayor Curtin made a motion to open the regular meeting following the Public Hearing held regarding Local Law #2 of 2021. The motion was seconded by Trustee Manahan and the meeting was opened at 7:02pm.

**ADOPT LL#2**

**OF 2021:** Trustee Murphy made a motion to adopt Local Law #2 of 2021 authorizing a property tax levy in excess of the limit established in General Municipal Law Section 3-c. The motion was seconded by Trustee Manahan. Mayor Curtin asked if there was any discussion on the matter. 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 and special meetings for the month of February 2021. The bills on Abstract Sheets #010 for General Fund in the amount of \$6,862.35, Water Fund in the amount of \$8,167.19, Sewer Fund in the amount of \$80,280.26, Capital Funds in the amount of \$11,685.00 and Trust and Agency Funds in the amount of \$371.53 were audited. The bills totaled \$107,366.33. The Board tabled the Police Report for the month of February 2021. The Board received the Building Inspectors Report for the month of February 2021 from Code Official Bill Reagan. The Board acknowledged receipt of the minutes of the Town Board meetings for February 2021. The financial statements as submitted by Village Treasurer Nino Provvidenti for February 2021 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.

**SPRING BRUSH DATES AND**

**TRASH DAYS:** Trustee Murphy announced that the Village Board and DPW are going to continue the policy from last year for the 2021 Brush Pickup. Trustee Murphy made a motion to allow brush to be placed at the curb on Saturdays and Sundays for pickup on Mondays from April 5<sup>th</sup> to May 10<sup>th</sup>. Also, 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 month during those summer months. In addition, the Town of Marcellus announced that the Town has scheduled the 2021 dates for the Trash Transfer Stations as follows: Fridays, April 23<sup>rd</sup>, April 30<sup>th</sup>, and May 7<sup>th</sup>, from 8 a.m. to Noon and Saturdays, April 24<sup>th</sup>, May 1<sup>st</sup>, and May 8<sup>th</sup>, from 8 a.m. to Noon. Permits are required and issued through the Town of Marcellus Clerk's Office. The rates are \$20 for a passenger vehicle, \$35 for a pickup truck, \$45 for a trailer, \$10 for a one-time passenger car, \$3 for tires and \$15 for anything with Freon (such as refrigerators, freezers, air conditioners or dehumidifiers). The Town Board agreed to also have a shred day during the Spring Trash Days. The cost to the Town is \$600 for four (4) hours and the Village will share in that cost. There will be no cost to the residents for the shredding, but there is a limit of five boxes per car. There will also be an Electronics Waste Disposal Day included with the trash days this year and that will require a special fee. The cost will be \$40 for televisions and monitors over 27", \$20 for televisions and monitors less than 27" and a \$5 fee per load for all other electronics. This year there will be a charge for flat screen televisions. Some items are not accepted including garbage, OCRRA recyclables, liquids or hazardous waste including paint, oil tanks, fuel tanks, motor vehicles, and contractor debris (home projects only), All items must be secured and covered when transporting to the Town Transfer Station. 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.

**POLICE REFORM**

**RESOLUTION:** Trustee Manahan made a motion to adopt the following resolution:

**WHEREAS**, the Police Reform & Reinvention Collaborative was directed by Governor Cuomo's Executive Order #203 of June 12, 2020; and

**WHEREAS** all municipalities in New York State that have police forces are required to participate and submit a written plan by April 1, 2021; and

**WHEREAS** the Marcellus Police Department utilizes resources and has agreements in place with other law enforcement agencies within Onondaga County; and

**WHEREAS** the Onondaga County Sheriff Department routinely responds to and assists with service calls within the Village of Marcellus community; and

**WHEREAS** the Village of Marcellus Board of Trustees has read, reviewed, and agreed with the information presented in the Onondaga County Sheriff Department Police Reform and Reinvention Collaborative Plan;

**THEREFORE, BE IT RESOLVED**, that the Village of Marcellus Board of Trustees accepts and adopts the Onondaga County Sheriff Department Police Reform and Reinvention Collaborative Plan in addition to the Marcellus Police Department Police Reform and Reinvention Collaborative Plan.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Mayor Curtin	Voting Aye
Trustee Manahan	Voting Aye
Trustee Murphy	Voting Aye

The resolution was thereupon declared duly adopted.

## **POLICE REFORM**

**RESOLUTION:** Trustee Murphy made a motion to accept the following resolution:

**WHEREAS**, the Police Reform & Reinvention Collaborative was directed by Governor Cuomo's Executive Order #203 of June 12, 2020; and

**WHEREAS** all municipalities in New York State that have police forces are required to participate and submit a written plan by April 1, 2021; and

**WHEREAS** this process was structured, according to the guidelines provided in the New York State Police Reform and Reinvention Collaborative, requiring community input and participation, along with an assessment of policing policies; and

**WHEREAS** the Village of Marcellus understands that maintaining public safety is extremely important and is one of the essential roles of government. In order to achieve that goal, there must be mutual trust and respect between police and the communities they serve; and

**WHEREAS** the Marcellus Police Department has followed the guidelines of the Police Reform & Reinvention Collaborative in the following ways:

- Reviewed the needs of the community served by the Marcellus Police Department and the Onondaga County Sheriff Department and evaluated the Department's current policies and practices.
- Established and evaluated policies that allow police to safely perform their duties.
- Involved the entire community in the discussion by way of an open public interactive forum in January 2021 and a public survey distributed in February 2021.
- Comments and recommendations were received from the public. And,

**WHEREAS** the Village of Marcellus Board of Trustees has read, reviewed, and agreed with the information presented in the Plan;

**THEREFORE, BE IT RESOLVED**, that the Village of Marcellus Board of Trustees accepts and adopts the Marcellus Police Department Police Reform and Reinvention Collaborative Plan; and be it further

**RESOLVED** that the Village of Marcellus Board of Trustees, upon adoption of this resolution, will send the Marcellus Police Department Police Reform & Reinvention Collaborative Plan to the New York State Department of Budget by the established deadline for full compliance.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Mayor Curtin	Voting Aye
Trustee Manahan	Voting Aye
Trustee Murphy	Voting Aye

The resolution was thereupon declared duly adopted.

## **ANNUAL STORMWATER**

**REPORT:** Trustee Manahan 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 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.

#### **OCWA HYDRANT**

**INSTALL:** Trustee Murphy made a motion to authorize the Mayor to sign an agreement with OCWA whereby the Village will pay for the cost of installation of a new hydrant at the corner of Meadow and Second Street and then be billed the annual maintenance rate for the hydrant. 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**

**MODIFICATIONS:** 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 ANNUAL MTG. & TENTATIVE BUDGET**

**HEARING:** Trustee Murphy announced that the Annual Meeting will take place on April 5, 2021 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 5, 2021 to consider the tentative budget for the Village for the next fiscal year. Approval of the final budget is anticipated to take place at the next regular Board meeting, on April 26, 2021.

#### **ANNOUNCE PLANNING BOARD PUBLIC**

**HEARING:** Trustee Manahan announced that having adjourned its Public Hearing on March 3, 2021, the Planning Board will reconvene its Public Hearing on April 21, 2021, at St Francis Xavier Parish Hall at 7 p.m. to address Site Plans, Stormwater Pollution Prevention Plan (SWPPP), engineering reports and SEQR documentation relative to the Baltimore Ridge Project. This meeting will be open for in-person public attendance unless otherwise directed by Executive Order. Masks are required and social distancing policies will be in effect. This meeting will also be available via Zoom for those unable to attend in person. Meeting information is available on the Village website: <https://www.villageofmarcellus.com/baltimore-ridge.html>. All interested parties will have the opportunity to be heard at the scheduled hearing. Copies of supporting documents are on file at the office of the Village Clerk.

#### **ANNOUNCE VILLAGE**

**MEETINGS:** Mayor Curtin announced that a list of those meetings scheduled for April 2021 is provided for those so interested. Please note also that the Workshop Agenda Meeting will take place on Thursday, April 2<sup>nd</sup> and the Annual Meeting will take place on Monday, April 5, 2021 in the Board Room, beginning at 7 p.m. The next Regular Board meeting will take place on Monday, April 26<sup>th</sup>, at which time the Board will adopt the 2021-2022 Budget and set the Tax Rate. In addition, the Village Office will be closed on Good Friday, April 2<sup>nd</sup>, and the Village-wide Earth Day Cleanup will take place on Friday, April 23<sup>rd</sup>. Don't forget to check the Spring Brush Pick-up Dates and the Spring Trash Days. The latter includes a Community Shred Day and an Electronics Waste Day as well.

#### **CERTIFICATE OF**

**EXCELLENCE:** Mayor Curtin made a motion to award a Certificate of Excellence to Skaneateles Mayor Martin L. Hubbard on the occasion of his final term as Mayor, in recognition of his long and distinguished service to the Village of Skaneateles, and of his strong relationship, friendship and cooperation with the Village of Marcellus, and to wish him the very best in his retirement from public service. 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.

#### **UPDATES BY THE**

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

a. Police Chief's Dialogue – as a result of the New York State Police Reform and Reinvention Collaborative noted previously, Chief Podsiedlik has penned a letter to Village residents, which letter is posted on the Village website, under Government, Departments, Police Department. This letter highlights the updates and changes that have been implemented in the Marcellus Police Department, in response to the Governor's Executive Order #203. Included with this letter is an invitation for residents, if they wish, to complete a survey enabling them to provide their thoughts and views on issues related to the Marcellus Police Department.

b. 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 Fool’s Day, April 1<sup>st</sup> - no fooling!

c. 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. It is hoped that 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 these crosswalks.

d. Flag Replacement – the American flags that line several of our streets in the Village will soon be in place. We thank the American Legion for its continuing efforts in helping to keep these flags in good condition – an excellent example of how committed the Legion is to our Village and its residents. Thank you.

e. Village Earth Day Participation – the Board would also like to announce that the Village will again participate in an Earth Day clean up on Friday, April 23, 2021. We hope that students from Heffernan Elementary School will help to participate in this event and we welcome any individuals or groups to join us in helping clean the Village of any litter lying along the roadside and village rights of way. We will meet in front of the Village Hall to distribute bags and gloves. If you’re interested in participating, as a group or an individual, please show up about 1:30 p.m. and contact the Village Clerk at 315-673-3112 for more information.

f. Utility Bills – the utility bill that residents receive this month is the last bill for our fiscal year. Residents should note that if not paid by April 30, 2021, the bill will be re-levied to the tax bill for June 1, 2021. If those bills for tenants who pay their own utilities are not paid by April 30, 2021, these too will be re-levied onto the owner's taxes for June 1, 2021. Please note that, unlike previous utility bills, payment for this final bill for the year must be made within the month.

g. Creek Walk – At first glance, it appears that the winter weather has not caused much damage to Fred’s Trail. There were some hardy people who braved the elements to walk the trail this winter, although it was not officially open. We welcome the spring as well as those who will take advantage of this gem in our community.

h. Budget – the Village Board is working to finalize the 2021-22 Village Budget in preparation for the Annual Meeting. We hope to maintain the Village tax rate at \$6.85 per \$1,000 of assessed valuation, a tax levy that should not exceed the NYS Tax Cap Limit. The news about the financial assistance received by the Village from NYS and from Onondaga County is also mixed. The NYS Governor’s Executive Budget for the coming fiscal year eliminates the Village’s allocation of State Aid to Municipalities, and also freezes the Village’s allocation of State Transportation Aid at current year levels. The good news is that the Village Infrastructure Improvement Program (VIIP) agreement between Onondaga County and the Village has been now been extended for another ten years and includes multiple increases in the amount of financial assistance to the Village over the next ten years. We do not anticipate a tax increase this year, and this makes the sixth year in a row that the tax rate has remained unchanged.

i. America Rescue Plan – Funding for State and Local Fiscal Relief is part of this plan. Senator Schumer announced recently “. . . that Village and town governments will be receiving a direct allocation of federal assistance, . . . but village amounts are not included because of the complications of calculating those amounts until a process is put in place to divvy up funds between overlapping governments." We have been told that the Town of Marcellus has been granted approximately \$660,000, but we do not know anything about the process to divvy up funds between overlapping governments.

j. Update on WWTP Upgrades – the \$8 million treatment plant upgrades mandated by NYSDEC to remove phosphorus from the plant’s effluent is virtually complete, including site restoration as well as paving and sidewalk construction. The financing package which the Village has been able to secure includes a \$5,202,600 short term (30 year), interest-free hardship loan and a \$1,379,900 WIIA Grant (formerly called a NYS Water Grant) along with an \$80,000 WQIP #11 grant, a \$1,000,000 WQIP #14 Grant and a \$250,000 SAM (DANSY) Grant.

k. Increase in Sewer Rates – In trying to offset excessive sewer rates, the Village has been successful in securing some major funding and the Village Board has also increased the sewer rents significantly within the last three years. This has meant a minimum quarterly sewer rate, for Village sewer users, of \$100.00 (from \$75.00) and a minimum annual cost of \$400 (from \$300) and an average annual cost of \$547.47 (from \$413.13). Keep in mind that this is an average estimate, since sewer rates are based on water usage in the Village and that fluctuates. The annual cost for outside users (Town and School District) is anticipated to be \$686.84 (from \$516.41), given that outside users pay an additional 25% over that of the average Village sewer user – an increase of about \$160.00 per year, beginning in 2019. In order to prepare our Treatment Plant for operation well into the 21st century, these increases, while hefty, are unavoidable.

l. Property Tax Cap – as was mentioned, our Budget is complicated by the property tax cap of 2%, which is another State mandate and at our recent workshop meeting, the Board decided to override the tax cap. We might note that there seems to be no meaningful relief from

continuous unfunded State mandates and these mandates, coupled with a cap on the Board's ability to raise revenue, it is sometimes difficult to plan or even survive.

m. Flushable Wipes Are NOT Flushable!!! – we continue 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 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. We also reference an Internet video that explains the problems associated with flushable wipes. Please view the following: [www.youtube.com/watch?v=SLTVqkXVvNk](http://www.youtube.com/watch?v=SLTVqkXVvNk) which is also posted on the Village website. We also urge residents to review the “Trash NOT Sewer” flyer that accompanied a previous newsletter. The information is invaluable and will help residents understand the importance of putting items in the trash, and not into the sewer.

n. Homeowner Responsibility for Sewers – property owners should be aware that they are required 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. At the sewer main, the Village assumes responsibility.

o. New Business in the Village – look for an early summer opening of new businesses in the Village at #2 and #4 E. Main Street. Details are still being planned for a Nano Brewery and an ice cream and deli shop on these sites. We welcome new businesses to the Village and encourage our residents to patronize them.

p. Olde Home Days, 2021 (June 4, June 5 and 6) – will not be taking place this year, due to the ongoing public health crisis. The Marcellus Rotary Club and the Olde Home Days Committee thank the community for their ongoing support.

q. Village Parking Improvements – the Village and its DPW has been involved for over a year in an on-going project with several Marcellus Central School District students and their teacher, Mr. Tyler Cooper. The students, along with some invaluable advice, effort and expertise from Joe Durand of TDK Engineering, have researched and prepared an excellent CAD drawing for changing the parking situation in front of 2-6 East Main Street (Reagan Building and Village Tavern) from a perpendicular to a parallel configuration. As part of their Senior Project, Lee Piekial and Liam Hawes, have created a most appropriate design for this area on East Main, the final spot in the Village that has perpendicular parking, and is a dangerous traffic hazard, trying to park and then back out onto Main Street. There will probably be a loss of 4 (four) parking spots as a result of this change, but the businesses that border this area have come to realize the importance of eliminating this dangerous parking situation and have agreed to the change. We had expected this project to be completed last year, but unexpected difficulties have delayed that construction until this summer. The Board applauds the efforts of the students and all involved in the project and looks forward to its implementation

r. Meadow Street – The Village Board and Department of Public Works would like to inform you of its plans to provide storm water drainage and road improvements to the Meadow Street area beginning this spring and perhaps extending until 2022. Our engineering firm, MRB Group, has completed a Survey Phase to obtain all necessary information for the completion of mapping and design along Meadow Street, including topographical survey of the existing utilities, driveway and road surface within the survey corridor. The firm is now in its Design Services Phase, to design and install a new storm water collection system on Meadow Street while also reconstructing the road with new base material, asphalt and gutters. The design will also look to flatten the current high crown on this road in order to improve the overall drainage and future maintenance of this road. Improvements would also include new field inlet(s) and swale improvements where necessary. MRB engineers are heading up the design for this project and are working well with our DPW to review some design and coordination issues and have also been in touch with both NYSEG and OCWA – both have been very cooperative and very interested to replace their mains prior to our project work. NYSEG has announced its intention to do its work this spring and OCWA has indicated that they are currently anticipating the start of installation of new hydrants and replacement of the water main in the mid to end of June 2021 time frame. The Village also intends to repair the sanitary sewer line, with cured-in-place relining, in late April or middle of May. All of this will take place before road reconstruction. Over the years, larger storm events have resulted in road and backyard flooding in the Meadow Street area. The Village has worked on incremental improvements to try to address these drainage concerns on the west side of the Village and the most recent drainage improvement project on Highland Drive included a new storm water collection system, improvements to roadside swales and road re-paving. These project improvements have resulted in a much lower frequency of storm water issues in this area. While we wait to note what the spring rains will bring, we are cautiously optimistic that our efforts in helping to address the flooding in this area will have been met with some success. The Board wants to make you aware of the fact that there will be some inconvenience in the coming months but we are confident that this new project will be most positive.

If there are any concerns regarding this project, please contact:  
DPW Superintendent – Greg Crysler – 315-506-9253  
Deputy DPW Superintendent – Jim LaRose – 315-569-2718

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 Manahan made the motion to adjourn, 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 7:28 p.m.

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Charnley A. Abbott, Village Clerk