

**REGULAR MEETING OF THE VILLAGE BOARD  
OF THE VILLAGE OF MARCELLUS HELD ON  
MARCH 28, 2022 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 2022. The motion was seconded by Trustee Murphy and the meeting was opened at 7:03pm.

**ADOPT LL#2**

**OF 2022:** Trustee Murphy made a motion to adopt Local Law #2 of 2022 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 for the month of February 2022. The bills on Abstract Sheets #010 for General Fund in the amount of \$34,353.40, Water Fund in the amount of \$8,247.57, Sewer Fund in the amount of \$18,840.75, Capital Funds in the amount of \$0.00 and Trust and Agency Funds in the amount of \$3,3189.00 were audited. The bills totaled \$64,630.72. The Board received the Police Report for the month of February 2022. The Board received the Building Inspectors Report for the month of February 2022 from Code Official Bill Reagan. The Board tabled receipt of the minutes of the Town Board meetings for February 2022. The financial statements as submitted by Village Treasurer Nino Provvidenti for February 2022 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 2022 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 4<sup>th</sup> to May 9<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 2022 dates for the Trash Transfer Stations as follows: Fridays, April 29<sup>th</sup>, May 6<sup>th</sup>, and May 13<sup>th</sup>, from 8 a.m. to Noon and Saturdays, April 30<sup>th</sup>, May 7<sup>th</sup>, and May 14<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 on May 14<sup>th</sup>. 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.

**EV**

**CONNECT:** Trustee Manahan made a motion to authorize the Mayor to sign a contract with EV Connect, the service provider for the electric vehicle charging station installed in the Village in 2017 as part of a NYSERDA Clean Energy Communities grant, for a period of 4 years, April 1, 2021, through March 31, 2025. EV Connect provides network management software that includes pricing and rate management, technical support, and station performance data. For the first four years, 2017-2021, 88% of the revenue generated from electric use by ZEV (zero emission vehicle) drivers was allocated to the Village and 9% was allocated to NYSERDA. Under the new agreement, the Village will receive 97% of the revenue moving forward, at a cost of \$398.00 per year (\$199 per port x 2 ports). Based on usage and net revenue data compiled since

the 2017 installation of the charging station, the Village has seen a substantial increase in usage due to the increasing popularity of ZEVs over the last 2 years and will continue to provide this valuable service to our community. The total cost to the Village for the 4-year contract will be \$1592.00, and the Board anticipates the revenue generated to outweigh that cost. 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.

**LOW INCOME HOUSEHOLD SEWER ASSISTANCE**

**PROGRAM:** Trustee Murphy made a motion to authorize the Village Treasurer to register the Village as a LIHSAP vendor, which will help low-income households pay the cost of sewer services. Those so interested should go to OTDA’s LIHWAP webpage (<https://otda.ny.gov>) to learn more and apply online. A similar service is also provided by OCWA to help households pay for the cost of water service. 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

**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.

**ELECTION**

**RESULTS:** Trustee Murphy made a motion to accept the results of the Village election held on March 15, 2022, in which the voters of the Village re-elected John P. Curtin as Mayor and Timothy P. Manahan as Trustee, both of which are four-year terms, until 2026. It is the hope of the Village Board that we are able to continue to maintain the Village infrastructure, stabilize the tax rate and the village debt, and keep an increase in sewer rates, because of mandated upgrades to the WWTP, to a minimum in the years ahead. 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

**NYS DEFFERED COMPENSATION**

**PLAN:** Trustee Manahan made a motion, seconded by Trustee Murphy, to approve the following resolution:

**WHEREAS** the Village of Marcellus wishes to adopt the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the “Plan”) for voluntary participation of all eligible employees; and

**WHEREAS** the Village of Marcellus is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law and

**WHEREAS** the Village of Marcellus has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

**WHEREAS**, the purpose of the Plan is to encourage employees to make and continue careers with the Village of Marcellus by providing eligible employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement;

**NOW, THEREFORE, BE IT RESOLVED** that the Village of Marcellus hereby adopts the Plan for the voluntary participation of all eligible employees; and it is further

**RESOLVED**, that the appropriate officials of the Village of Marcellus are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan; and it is further

**RESOLVED**, that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

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.

**SIDEWALK CAFÉ PERMIT**

**APPLICATON:** Trustee Murphy made a motion to authorize the addition of a Sidewalk Café Application to the list of Village Documents that are now part of the Village Code. This motion also authorizes the Village Code Enforcement Official to review said application and approve or deny the same.

The application is on file in the Village Office for public inspection. 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

**CODE ENFORCEMENT WITH TOWN**

**ATTORNEY:** Trustee Manahan a motion, seconded by Trustee Murphy, to approve the following resolution:

**WHEREAS** the Village of Marcellus Code Enforcement Department periodically investigates complaints and/or violations that occur in the Town of Marcellus that directly affect Village residents and their property;

**NOW, THEREFORE, BE IT RESOLVED** that the Village of Marcellus hereby authorizes the Town of Marcellus Attorney to prosecute code violations for the Village of Marcellus upon request.

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.

**BUDGET**

**MODIFICAIONS:** Trustee Murphy 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 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.

**ANNOUNCE ANNUAL MTG.  
& TENTATIVE BUDGET**

**HEARING:** Trustee Manahan announced that the Annual Meeting will take place on April 4, 2022 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 4, 2022 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 25, 2022.

**AIM**

**FUNDING:** Trustee Murphy made a motion, seconded by Trustee Manahan, to approve the following resolution:

**WHEREAS**, AIM funding plays a pivotal role in funding essential municipal services such as water, sewer, public works, police, fire and ambulance for cities and villages across New York State and,

**WHEREAS**, the State has not increased AIM funding in 13 years and,

**WHEREAS**, inflation has eroded AIM funding by roughly 29% over that time period and,

**WHEREAS**, the New York State Conference of Mayors and nearly 400 of its members have signed onto a letter to the Governor requesting an inflationary increase of \$210 million in AIM funding and,

**WHEREAS**, the Governor’s Executive Budget proposed keeping AIM funding flat and,

**WHEREAS**, the New York State Senate and Assembly have included increases of \$210 million and \$150 million, respectively, to AIM funding in their one-house budgets and,

**WHEREAS**, an increase in AIM funding would reduce the local tax burden and help revitalize communities across New York, and

**NOW, THEREFORE, BE IT RESOLVED** that the Village of Marcellus urges Governor Hochul to work with the leaders of the Senate and Assembly and increase AIM funding in the 2022-23 adopted State Budget, and,

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be sent to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator John W. Mannion, Assembly member John LeMondes, and the New York State Conference of Mayors.

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.

#### **ANNOUNCE VILLAGE**

**MEETINGS:** Mayor Curtin announced that a list of those meetings scheduled for April 2022, is provided for those so interested. Please note also that the Workshop Agenda Meeting will take place on Friday, April 1<sup>st</sup> and the Annual Meeting will take place on Monday, April 4, 2022, in the Board Room, beginning at 7 p.m. The next Regular Board meeting will take place on Monday, April 25<sup>th</sup>, at which time the Board will adopt the 2022-2023 Budget and set the Tax Rate. In addition, the Village Office will be closed on Good Friday, April 15<sup>th</sup>, and the Village-wide Earth Day Cleanup will take place on Thursday, April 21<sup>st</sup>, with a rain date of April 22<sup>nd</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.

#### **UPDATES BY THE**

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

a. Comp Alliance – will conduct the annual safety and health training, virtually, for all Village employees, during the month of April.

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 Thursday, April 21, 2022, with a rain day of Friday, April 22, 2022. 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, 2022, the bill will be re-levied to the tax bill for June 1, 2022. If those bills for tenants who pay their own utilities are not paid by April 30, 2022, these too will be re-levied onto the owner's taxes for June 1, 2022. 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 2022-23 Village Budget in preparation for the Annual Meeting. During the past year, the Town of Marcellus performed a reassessment of all properties in the Town, including all Village of Marcellus properties. The end result to the Village was an overall 20% increase in the Taxable Value of all Village tax parcels, effective for the Village's 2022-23 property tax levy year. This will enable the Village to in turn lower its tax rate from the current rate of \$6.85 per \$1,000, down to a proposed tax rate of \$5.82 per \$1,000, and still generate at least the same amount of Property Tax Revenue as before. Once again, this proposed Village tax levy does not appear to 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 maintains AIM funding for cities, villages and towns is at the current year level of \$715 million, and also preserves 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. Compost is available at the Village of Marcellus Wastewater Treatment Plant! The Village of Marcellus Compost is produced from wastewater biosolids, through the controlled biological process of composting. At the WWTP, natural decomposition is accelerated enabling us to produce a high-quality product. By controlling the composting process, biosolids are sanitized through the generation of heat, then stabilized to allow for versatility of end use. Through this process, valuable organics generated from the Village WWTP are naturally recycled into a product which is beneficial to plants and the environment. We are able to transform waste into a beneficial product and continue to divert material from landfills.

Our compost is safe, and quality tested. The compost has been treated by a process to further reduce pathogens. This process is defined by the EPA & DEC. The Village has analyzed the compost in accordance with the requirement of the EPA & DEC. Compost is hygienically and environmentally safe if it is used properly. Village residents can use the compost on new or established lawns, flower boxes & house plants, flower gardens, and vegetable gardens.

All Village residents can bring a container(s) to the WWTP at 6 Mille High Drive weekdays 8am-3pm. First come first serve. If you would like confirmation of availability, please leave a message at 315-673-4491.

j. No 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.

k. 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.

l. 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.

m. 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.

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

o. Olde Home Days, 2022 (June 3, June 4 and 5) – the fourth meeting of the 2022 OHD Rotary will be held on Thursday, April 7, 2022, in the Village Hall beginning at 6:30 p.m. Please support Marcellus Olde Home Days. A fun filled weekend is being planned.

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

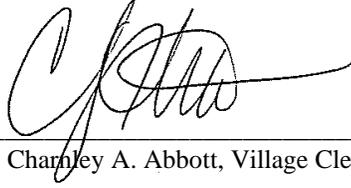
**ITEMS FROM THE FLOOR:**

Mr. Dwight Widger, 11 Flower Lane, addressed the Board regarding silt buildup on his property and the neighbor’s property (Caster, 9 Flower Lane) from Coon’s Pond, which is a retention basin for all of the stormwater runoff from the Town and Village north of the

Widger and Caster properties. Coon's Pond is located within the Village. Mr. Widger stated that the buildup is concerning and that the Village needs to address it. Mr. Widger provided photographs to the Board to identify his concerns. Mayor Curtin informed Mr. Widger that the Board would discuss the matter with the DPW and the Code Official and will determine the best course of action.

Mayor Curtin asked if there were any other 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 7:34 p.m.

A handwritten signature in black ink, appearing to read 'C. Abbott', written over a horizontal line.

Charley A. Abbott, Village Clerk