

**REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF MARCELLUS
HELD ON NOVEMBER 25, 2020 AT THE VILLAGE HALL**

PRESENT: John P. Curtin, Mayor See List
Timothy P. Manahan, Trustee
Jeff Brown, Attorney (via teleconference)
Charnley A. Abbott, Village Clerk

ABSENT: John J. Murphy, Trustee

Pledge of Allegiance

Mayor Curtin asked for a motion to open the regular meeting at 7:02pm. Trustee Manahan made the motion. Mayor Curtin called for a vote. All board members voted aye and the meeting was opened.

**CONSENT
AGENDA:**

The Village Clerk submitted the minutes of the regular board meeting for the month of October 2020. The bills on Abstract Sheet #006 for General Fund in the amount of \$58,791.73, Water Fund in the amount of \$0.00, Sewer Fund in the amount of \$42,846.52, Capital Funds in the amount of \$1,163.00, and Trust & Agency in the amounts of \$16,307.85 were audited. The bills totaled \$119,109.10. The Board received the Police Report for the month of October 2020 from Police Chief Bernie Podsiedlik. The Building Inspectors report for the month of October 2020 was received by the board from William Reagan. The Board acknowledged receipt of the minutes of the Town Board meetings for October 2020, and the financial statements as submitted by Village Treasurer Nino Provvidenti for October 2020. Trustee Manahan 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. All board members voted aye and the motion carried.

NYSMEC

RESOLUTIONS: Mayor Curtin made a motion to approve the following resolutions authorizing Village of Marcellus participation in the New York School and Municipal Energy Consortium (NYSMEC) for purchase of electricity and natural gas, and another motion to authorize the Mayor to sign the billing schedule and agreement with the New York School and Municipal Energy Consortium (NYSMEC) for purchase of electricity and natural gas.

**RESOLUTION AUTHORIZING
PARTICIPATION IN COOPERATIVE
ENERGY PURCHASING SERVICE
(NYSMEC) FOR ELECTRICITY**

WHEREAS, Article 5-G of the New York State General Municipal Law authorizes municipal corporations to enter into cooperative agreements for the performance or exercise of services, functions, powers or activities on a cooperative or contract basis among themselves or one for the other, and

WHEREAS, Section 119-n of the General Municipal Law defines the term "municipal corporation" for the purposes of Article 5-G as a county outside the city of New York, a city, a town, a village, a board of cooperative educational services, a fire district or a school district; and

WHEREAS, the Village of Marcellus (hereinafter sometimes referred to as "Participant") is a "municipal corporation" as defined above; and

WHEREAS, this Board wishes for this municipal corporation to become or remain a Participant pursuant to the Municipal Cooperation Agreement For Energy Purchasing Services dated the 1st day of May 2005 (the "Agreement"), among municipal corporations

collectively identified as the New York School and Municipal Energy Consortium ("NYSMEC") upon the terms of the Agreement and further wishes to authorize participation as an energy consumer as specified below.

NOW, THEREFORE, BE IT RESOLVED, that this Board hereby determines that it is in the interests of the Village of Marcellus to participate in the NYSMEC, and authorizes and directs Mayor John P. Curtin to sign the Agreement/and or the Billing Schedule and Agreement for electricity on its behalf; and

BE IT FURTHER RESOLVED, that this Board authorizes the Administrative Participant (as defined in the Agreement) to prepare, advertise, disseminate and open bids pursuant to the General Municipal Law and to award, execute and deliver binding contracts on behalf of this Board for the purchase of electricity delivered to the delivery point of the local utility distribution company for the Participant's facility or facilities, on a firm basis, for this Participant to the lowest responsible bidder as is determined by the Administrative Participant at a price for such commodity electricity not to exceed \$0.0736 cents per kWh for a term of at least one year and no more than three years commencing May 1, 2021, and other terms and conditions, all as may be determined by the Administrative Participant, or to reject any or all such bids; and

BE IT FURTHER RESOLVED, that this Participant agrees to advertise said bid as may be directed by the Administrative Participant; and

BE IT FURTHER RESOLVED, that the officers and employees of this Participant are authorized to execute such other confirming agreements, certificates and other documents and take such other actions as may be necessary or appropriate to carry out the intent of this resolution.

This Resolution shall take effect immediately.

**RESOLUTION AUTHORIZING
PARTICIPATION IN COOPERATIVE
ENERGY PURCHASING SERVICE
(NYSMEC) FOR NATURAL GAS**

WHEREAS, Article 5-G of the New York State General Municipal Law authorizes municipal corporations to enter into cooperative agreements for the performance or exercise of services, functions, powers or activities on a cooperative or contract basis among themselves or one for the other, and

WHEREAS, Section 119-n of the General Municipal Law defines the term "municipal corporation" for the purposes of Article 5-G as a county outside the city of New York, a city, a town, a village, a board of cooperative educational services, a fire district or a school district; and

WHEREAS, the Village of Marcellus (hereinafter sometimes referred to as "Participant") is a "municipal corporation" as defined above; and

WHEREAS, this Board wishes for this municipal corporation to become or remain a Participant pursuant to the Municipal Cooperation Agreement For Energy Purchasing Services dated the 1st day of May, 2005 (the "Agreement"), among municipal corporations collectively identified as the New York School and Municipal Energy Consortium ("NYSMEC") upon the terms of the Agreement and further wishes to authorize participation as an energy consumer as specified below.

NOW THEREFORE, BE IT RESOLVED, that this Board hereby determines that it is in the interests of the Village of Marcellus to participate in the NYSMEC, and authorizes and directs Mayor John P. Curtin to sign the Agreement/and or the Billing Schedule and Agreement for natural gas on its behalf; and

BE IT FURTHER RESOLVED, that this Board authorizes the Administrative Participant (as defined in the Agreement) to prepare, advertise, disseminate and open bids pursuant to the General Municipal Law and to award, execute and deliver binding contracts on behalf

of this Board for the purchase of natural gas delivered to the city gate of the local utility distribution company for the Participant's facility or facilities, on a firm basis, for this Participant to the lowest responsible bidder as is determined by the Administrative Participant at a price for such commodity natural gas not to exceed \$0.583 cents per therm for a term of at least one year and no more than three years commencing May 1, 2021, and other terms and conditions, all as may be determined by the Administrative Participant, or to reject any or all such bids; and

BE IT FURTHER RESOLVED, that this Participant agrees to advertise said bid as may be directed by the Administrative Participant; and

BE IT FURTHER RESOLVED, that the officers and employees of this Participant are authorized to execute such other confirming agreements, certificates and other documents and take such other actions as may be necessary or appropriate to carry out the intent of this resolution.

This Resolution shall take effect immediately.

The motions were 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 motions carried.

MRB/FEMA

RESOLUTION: Trustee Manahan made a motion to approve the following resolution authorizing Village of Marcellus participation in a FEMA//BRIC application, Whereas, the Village was chosen to participate in a FEMA project that will address flooding issues in the Highland/Meadow Street areas and is now completing the Federal application for such, be it resolved that the Village will commit 25% of the project's cost, if awarded, and that the Village supports the grant application and matching funds since this is a high priority

**RESOLUTION OF SUPPORT AND FUNDING COMMITMENT
FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)
GRANT APPLICATIONS FOR: FY-2020 FLOOD MITIGATION
ASSISTANCE (FMA) & BUILDING RESILIENT INFRASTRUCTURE &
COMMUNITIES (BRIC)**

WHEREAS, the Village of Marcellus Village Board, of Onondaga County, supports the submission of FEMA Flood Mitigation Assistance (FMA) and Building Resilient Infrastructure & Communities (BRIC) grant applications, on behalf of the Village, for Hazard Mitigation Assistance towards the Meadow Street Area Mitigation Project; and

WHEREAS, the Village has previously submitted a Letter of Intent and was selected by the New York State Division of Homeland Security and Emergency Services as a sub applicant to a statewide FEMA application; and

WHEREAS, the Village has experienced and documented several residences and roadways that have been impacted by flooding issues in the area south of the Reed Parkway & east of Highland Drive, including backyards of 2nd & Meadows Streets; and

WHEREAS, the Meadow Street area has experienced higher intensity rainfall events in recent years, along with continued upstream erosion, exacerbating flooding problems, resulting in a need for mitigation; and

WHEREAS, the Village intends to make a request for funding towards an updated drainage study, debris clearing, as well as stabilization improvements, and upgrades to the stormwater collection system through FEMA Hazard Mitigation Assistance;

NOW, THEREFORE BE IT RESOLVED, the Village Board authorizes the undertaking of this project and accepts that the Village shall provide at least 25% local match toward the \$300,000 project total in the form of cash, donated or third-party in-kind series, materials, as well as through the Village general funding, or any combination thereof hereby appropriated; and

BE IT FURTHER RESOLVED, the Village of Marcellus Village Board authorizes and designates Mayor John Curtin as the representative to sign the FEMA grant applications on behalf of the Village and authorizes the Mayor to execute necessary associated documents required for the application; and

THEREFORE, BE IT FURTHER RESOLVED that the Village of Marcellus Village Board recognizes and fully supports the Meadow Street Area Mitigation project as well as the submission of the FEMA Hazard Mitigation Assistance grant application to reduce future losses, minimizing the impacts on the Disaster Relief fund, while enabling innovation and promoting continued partnerships.

The motion was seconded by Mayor Curtin. 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.

EMPLOYEE DRUG

TESTING: Mayor Curtin made a motion to approve a contract with Lakeshore Employee Testing Services, to perform drug and alcohol testing for commercial drivers who are employed in the Village Highway Department at a cost of \$55.00 per employee and authorize the Mayor to sign said contract. 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 DOT MAINTENANCE

PERMIT: Mayor Curtin made a motion to authorize the DPW Superintendent (and/or his designee) to complete and sign the appropriate forms in order to acquire the annual maintenance permit with the NYSDOT. 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.

REQUEST TO ADJUST UTILITY

CHARGES: Trustee Manahan stated that the board has received a written request from the property owner at 4 East Main Street, asking that the Board consider adjusting the Village utility charges for several of the previous quarters. The outstanding utility bills for the property dated back to the ownership change in April 2019, when the account was paid off during the real estate transaction. While the property was not in use and under renovation for several years, at some time the previous owner had the water disconnected. This was not communicated to the village, as it should have been, when the property changed hands at the closing. The current owner has been charged incorrectly for sewer rent since July of 2019, and therefore there is a need to credit back the sewer charges since the property has not been not connected by water or sewer since being acquired – no water has gone in or out during this time period. Refuse charges should stay, however. Because of these circumstances as well as the property owner being unaware of the outstanding bills and of the penalties that have accrued, Trustee Manahan made a motion that the Board adjust the bill to reflect the time period since the property changed hands – from 5/1/19 to the present, plus half of the penalties that were accrued – this would total \$600.00 in sewer charges plus \$23.50 in penalties, for a total invoice of \$623.50. The motion was seconded by Mayor Curtin. 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

MODS: Mayor Curtin made a motion to approve budget modifications requested by Treasurer Providenti transferring revenues and appropriations in the Sewer Fund. 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.

TREE LIGHTING

CEREMONY: Trustee Manahan announced that the annual Marcellus Tree Lighting Ceremony will not take place this year in the Village, at the Point because of the Covid-19 pandemic. A Christmas Tree has been donated however and installed at the Point as usual, with much help from Town and Village workers, but no gathering is planned. Having a tree at the Point is a tradition dating back to the first community tree installed in 1916 and while there will be no celebration this year, the Board feels that this tradition should continue, in time for the Thanksgiving Day holiday, decorated again this year by Village employees.

DECEMBER 2020 VILLAGE

MEETINGS: Trustee Manahan made a motion to change the December Agenda Workshop from December 25, 2020 to December 18, 2020 and the regular Board meeting from December 28, 2020 to December 21, 2020, because of the Christmas holiday. The motion was seconded by Mayor Curtin. 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: Mayor Curtin and the Board provided updates on the following subjects:

- a) Reminder – No Parking – November 1st to April 1st – the public should be aware of the fact that as of November 1, 2020, there is no parking allowed on any street in the Village of Marcellus from 2 a.m. to 7 a.m. so that the Highway Department can plow snow. This no parking ban will remain in effect until April 1, 2021. If ticketed by Village Police, the fee will be \$35.00. We urge residents to use the Village parking lots for any overnight parking situations.
- b) Leaf and Brush Pickup – brush pickup ended on October 5th and if any residents have missed the deadline, they are welcome to utilize the Village composting site behind the Village Hall. Leaf pickup extended from October 13th to November 16th. After November 17th, residents may collect leaves into large brown paper leaf bags and place the bags at the curb for pickup, weather permitting – please note that only these leaf bags will be picked up after November 17th. Residents may also drop off brush and leaves anytime at the Village compost site, located next to the Highway Department garage. Please remember to keep leaves in the Village right of way, between the sidewalk and the road, and out of the street where they might end up clogging the catch basins and lead to flooding. With snowstorms that may occur, any leaves that are still in the Village right-of-way, between the sidewalk and the road, will remain there until the snow melts and the DPW has an opportunity to remove them. That might not be until the spring of 2021. Residents are welcome to bag their leaves and bring the bags to the compost site at the rear of the Village Hall.
- c) Other DPW Work – in recent weeks, the DPW has been very diligent in picking up leaves, long beyond the cut-off period. We have received some very nice compliments from residents for their efforts and we appreciate the response. With the coming of the winter snows, some of the memorial benches and pedestrian signs have been removed until spring by the department. The Department employees have also put up and decorated the Village Christmas Tree at the Point, ready for lighting just before Thanksgiving. The new Christmas decorations have been put up as well. The Board would like to thank members of the DPW for all of their efforts as we prepare for the winter months, knowing how especially dedicated they are with the removal of snow and ice.
- d) Health Care Costs – continue to rise, but not as much as in previous years, and both the Village and its employees will be required to pay, on average, an increase of about 0% for health coverage and 0% for dental coverage, beginning in January 2021. Coverage is similar to last year, with little increase in premiums, but some increase in deductibles.
- e) Pension Costs – for next year have been projected by the Village Treasurer to be within the allotted budget amounts. At this time, there appears to be no increase in pension costs for next year.
- f) Compost Project – continues to be very successful and please remember that composting continues all year round even though the demand obviously lulls through the fall and winter. Some residents might want to secure compost this fall, since it can be stored outside, without cover, through the fall and winter for its intended use next spring.

- g) Planning Board – the Board has not met in November but its members have discussed several items by email, including the Main Street Façade Grant Project and other projects in the Village including new businesses that have opened.
- h) School's Open – we continue to ask residents to please watch for school children walking and remember that there are pedestrian crossings on Main Street, as well as 20 mph speed limits in school zones and a 25 mph speed limit on First Street, a route that is heavily traveled by schoolchildren. Please slow down. Tickets will be issued for speeders.
- i) Police – within the past month, there have been several thefts from cars parked in the Village and Marcellus Park. The Chief continues to warn residents that cars should always be locked, even in ones driveway, and anything in the car's interior that might attract the attention of a thief should not be visible. If thieves view something in a car is worthwhile taking, they will and have smashed car windows. So, please lock your car doors. In addition, the Chief continues to encourage residents to call the Police Department if they have any concerns about solicitors or contractors they may employ. The Police Department would be happy to do background checks so as to alleviate these concerns. Also, if there are any snowbirds that would like to have their properties checked while they are out of town, please notify the Police Department.
- j) SRO Program – Marcellus Central School District continues to win top honors from Utica National Insurance Group for its efforts to keep students, staff and visitors safe. The district has consistently earned the insurance company's highest, titanium-level "School Safety Excellence Award" by meeting specific criteria to enhance its overall safety in such areas as bullying prevention programs and playground safety.
- k) Grease Traps – as the holiday season approaches, our Treatment Plant Operators continue to urge our residents to become more aware of the problems with grease in our sewer system. Grease will stick to household and sewer pipes, and over time, grease buildup can block pipes and cause sewage backups. Home garbage disposals do not keep grease out of the plumbing system – they only shred solid material into smaller pieces. The operators urge you to scrape grease and food scraps from cooking surfaces into a container and put in the trash or compost them. Do not put grease, fats or oils of any type down your drain or garbage disposal. Do use baskets or strainers in sink drains to catch food scraps and other solids and then empty them in the trash for disposal. During the holidays, there always seems to be an increase of calls from residents who have had sewer backups, and these have been attributable, for the most part, to grease buildup and blockage.
- l) Main Street Façade Grants – in the spring, Onondaga County approved 13 commercial projects and 1 public project under the County Main Street Façade Grant program, in a plan that awarded almost \$300,000 in funding for Marcellus businesses. Several projects have been completed and property owners have already been reimbursed, including a repaving of the Village parking lots, remarkable renovations of 17 North Street, 19 South Street, 14-18 West Main, 3 North Street, 60 East Main, and most recently a very attractive renovation of 20-22 West Main. Other projects have been delayed because of material shortages and contractor scheduling but we expect them to be completed within the next several months.
- m) WWTP Upgrades – with two years of construction of a very costly project having been completed, sewer users in the Village, Town and School District can be assured that a modern, fully operational water pollution control plant will serve their needs well into the 21st century. Funding for the project can only come from sewer rate increases, and the recent increase has brought the average annual rate up to about \$540.00 – 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 Village users, those rates have been reflected in the most recent utility bills. For Town sewer users the increase will be rather significant, given that outside users pay an additional 25% over that of the average Village sewer user. Beginning In January 2020, an average town sewer user began to pay approximately \$677.00 annually, an annual increase of about \$128.00, beginning in 2020. We have also had a sustained complaint by a neighbor about the noise generated by the plant blowers. We re continuing to investigate and try to determine what else can be done to alleviate this noise.

- n) Christmas Decoration Project – on behalf of our Board and our residents, we once again express much gratitude and thanks to former Trustee Bob Wilson for organizing and leading the Village Christmas Decoration Project. Bob’s last Village function, before he passed away last year, was contacting a number of businesses, organizations and individuals in the community, asking for donations to help fund the purchase of 30 new Christmas decorations with LED lights. While some were major gifts from businesses and individuals, there were also a number of smaller gifts, and we wish to express many thanks to everyone who was so generous to the Village and to Bob’s appeal. Installed on the telephone poles by our DPW department last week, we invite you to take notice of them when you are Main, North and South Streets. We are sure that you will agree they provide much community pride and create a mood that makes people feel good about how our Village looks. As many often realized, if you wanted a job done and done well, give it to Bob Wilson. Bob was so very instrumental throughout his long civic involvement with the community. The Village and all of Marcellus is much poorer with his absence.
- o) Green Gateway Project – is one that we hope will result in an environmentally positive gateway entrance to our Village – at the site of the former woolen mill on North Street. Printed copies of a project summary are provided for the benefit of residents and are available in the Village office, as well as on the Village website (click on <http://villageofmarcellus.com> and then on News, then Village News. While the coronavirus has recently interrupted and delayed our plans for the Village and the students at MCS to continue working on the site, it is hoped that conditions will soon improve so that the project will begin anew in the months ahead.
- p) Village Taxes – most have been paid, while the amount of unpaid taxes at present, including penalties, totaling about \$10,000 from 11 property owners, a figure significantly smaller than in previous years. The Village will eventually be reimbursed by the County for these tax evaders, but must wait a year before that reimbursement happens. In the meantime, the responsible taxpayers in the Village will continue, as they have in the past, to be responsible for the irresponsible. Property owners were able to continue to pay unpaid taxes to the Village until October 31, 2020, but they now been turned over to the County for reimbursement.
- q) New Business in the Village – another business is now open on the site of the former North Street Diner called Dusty’s Diner, and we welcome Dusty and his business to the Village and encourage our residents to patronize the business.
- r) Other – we would like to thank the Christoff family of Schuyler Road for their very generous donation of this year’s community Christmas Tree. Like last year’s donation, this large and perfectly shaped tree was installed by Village and Town workers and decorated with new LED lights. We thank all who helped to brighten the point again this year.

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 made a motion to adjourn the meeting, seconded by Trustee Manahan. Mayor Curtin called for a vote. All board members voted aye and the motion carried.

The Regular Board Meeting was adjourned at 7:11 p.m.

Charnley A. Abbott, Village Clerk