

**REGULAR MEETING OF THE VILLAGE BOARD
OF THE VILLAGE OF MARCELLUS HELD ON
SEPTEMBER 25, 2017 AT THE VILLAGE HALL**

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

ABSENT: Patrick W. Cox, Trustee

Mayor Curtin asked for a motion to open the regular board meeting at 7:00pm. Trustee Tallman made the motion, seconded by Mayor Curtin. Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

Mayor Curtin announced that Trustee Cox was on assignment in Germany with the 152nd Air Operations Group, a unit of the New York Air National Guard.

**CONSENT
AGENDA:**

The Village Clerk submitted the minutes of the regular board meeting for the month of August 2017. The bills on Abstract Sheets #004 for General Fund in the amount of \$17,567.91, Water Fund in the amount of \$657.84, Sewer Fund in the amount of \$20,843.70, Capital Funds in the amount of \$54,489.14 and Trust & Agency in the amount of \$804.67 were audited. The bills totaled \$94,363.26. The Board received the Police Report for the months of August 2017 from Police Chief Robert Wicks. The Board also received the Building Inspectors Report for the month of August 2017 from Building Inspector Bill Reagan. The Board acknowledged receipt of the minutes of the Town Board meetings for August 2017. The financial statements as submitted by Village Treasurer Nino Provvidenti for August 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.

APPOINT WPCP F/T

EMPLOYEE: Mayor Curtin made a motion to appoint Mallory Reedy as a Water/Water Treatment Plant Operator effective September 18, 2017 at a current hourly salary of \$22.76 per hour. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the appointment. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

CNYRPDB - STORMWATER

RESOLUTION: Trustee Tallman made a motion to approve a Resolution Supporting Participation in the CNY Storm Water Coalition Staff Services and Education Compliance Assistance Program, pertaining to the requirements of the New York State Pollutant Discharge Elimination System (SPDES) Storm Water Phase II General Permit for Municipal Separate Storm Sewer System (MS4). A copy of the agreement is on file in the Village office for public inspection. The one-year Agreement to participate will cost the Village of Marcellus \$3,600. The cost is strongly opposed by the Village Board and was addressed by the Mayor in his updates. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the resolution. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

MAPLE STREET EXTENSION

DEDICATION: Mayor Curtin offered the following resolution and moved its adoption:

WHEREAS, the Village of Marcellus is the owner of a certain parcel being a ten (10) foot wide strip of land approximately 600 feet long along upon which the Maple Street Extension in Lot No. 15 of the Town of Marcellus currently traverses but which was never dedicated as a formal part of the street, and

WHEREAS, the Village of Marcellus has made an irrevocable offer of dedication of the aforementioned parcel in order for it to become a formal part of the Maple Street Extension, and

WHEREAS, the Village Attorney has reviewed the proposed dedication and determined it to be in proper form for acceptance by the Village Board.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to execute any and all documents necessary to effectuate the dedication of land to become a formal part of the Maple Street Extension as proposed, the Village Clerk is authorized to pay any necessary expenses incident thereto and the Village Attorney is hereby directed to process the aforesaid dedication.

The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the resolution. Hearing none, Mayor Curtin called for a vote. Both board members voted aye. The motion was carried and the resolution adopted.

AUTUMN LEAF/BRUSH

PICKUP: Trustee Tallman made a motion to approve the Autumn brush and leaf pickup dates – brush pickup will extend from Monday, September 25th to Monday, October 9th and leaf pickup will extend from Tuesday, October 16th to Monday, November 6th. After November 6th, residents may collect leaves into brown paper leaf bags and place the bags at the curb for pickup. Residents may also drop off brush and leaves anytime at the Village compost site, located next to the Highway Department garage. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the brush/leaf pickup. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried. Trustee

METHODIST CHURCH NURSERY

SHELTER: Mayor Curtin made a motion to approve a request by the director of the Marcellus Church Nursery School to designate the Village Hall as its emergency off-site shelter, should the need arise. The motion was seconded by Trustee Tallman. Mayor Curtin asked if there was any discussion on the subject. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

MRB PROPOSAL – HIGHLAND

DRIVE: Trustee Tallman made a motion to table a proposal from MRB for professional services related to Highland Drive drainage improvements until next month. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the proposal. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

RESOLUTION – DEDUCTABILITY OF STATE AND LOCAL

TAXES: Trustee Tallman made a motion to approve the following resolution:

WHEREAS, Congress is giving serious consideration to eliminating the federal income tax deduction for state and local taxes; and

WHEREAS, this deduction, which has been in place for more than 100 years, is heavily utilized by residents of our community and our State; and

WHEREAS, New York residents already pay more into the federal treasury than the federal government returns to New York; and

WHEREAS, the state and local tax deduction is a fundamental principle of federalism and without it our residents would be faced with double taxation as they would be forced to pay federal income taxes on the taxes they pay to state and local governments; and

WHEREAS, this federal cost shift onto local governments would place extreme pressure on municipal budgets, including diminished revenue for essential local government investments, including public safety and public infrastructure; and

WHEREAS, increased federal taxation and reduced municipal services will harm our local housing market, decrease home values and erode our local tax base,

NOW THEREFORE BE IT RESOLVED THAT, the Village of Marcellus expresses its strong opposition to any tax reform proposal that would eliminate the State and Local Tax (SALT) Deduction and urges Representative John Katko to join us in publicly opposing any such proposal.

The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the subject. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried

RESOLUTION – SALE OF DPW

PROPERTY: Trustee Tallman made a motion approving a resolution authorizing the sale of the 2007 Ford F-550 Dump Truck by Auctions International. Trustee Tallman mentioned that the equipment was being sold for several reasons including: the equipment is outdated, in need of repair and is no longer used by the department. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the sale of the equipment. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

CLOSE FIRST STREET-

HALLOWEEN: Trustee Tallman made a motion to again close First Street between the hours of 5:00 p.m. and 8:30 p.m. on Halloween for trick-or treating, subject to conditions on October 31st, which falls on a Monday this year. The motion was seconded by Mayor Curtin. Mayor Curtin asked if there was any discussion on the street closing. Hearing none, Mayor Curtin called for a vote. Both board members voted aye and the motion carried.

SPECTRUM CABLE FRANCHISE

AGREEMENT: Attorney Brown previously informed the Board that he had again spoken with representatives from Spectrum and is still in the process of trying to finalize the franchise agreement. Attorney Brown anticipates presenting a final draft to the Village Board in the near future. Trustee Tallman made a motion to table the Spectrum Franchise Agreement until the Village Attorney has been able to negotiate successfully the terms of a new agreement with Spectrum. 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 to the General and Sewer Funds. The motion was seconded by Trustee 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 VILLAGE

MEETINGS:

Trustee Tallman announced that the Village Clerk had printed copies of future meeting dates of the Village for the residents. She asked residents to please note that the Village Office will be closed for Columbus Day, October 9th, but that there will be NO delay in trash pickup that week. Trustee Tallman again reminded residents of the Autumn brush and leaf pickup dates and that First Street will be closed from 5:30 p.m. to 8:30 p.m. on Halloween, October 31st.

Updates by the Mayor:

Mayor Curtin provided updates on the following subjects:

- a. Creekwalk –The Village Creek Walk along Nine Mile is now officially open. A ceremony was held on Saturday, September 16th, in the rear of the McClurg parking lot, to dedicate what is now called “Fred’s Trail”, in memory of former Mayor Fred Eisenberg. Mayor Curtin stated that the gathering was well-attended and featured live music, free water and ice cream, food for sale, and beautiful weather conditions. There were several sponsors of the event, along with individuals and groups that helped make the trail a success. Mayor Curtin publically thanked Scott McClurg and McClurg Associates employees, who played a significant role in organizing the celebration. Mayor Curtin went on to say that the entire Eisenberg family was in attendance and that they were very pleased. For residents unfamiliar with the now-completed project, click on the Village website <http://villageofmarcellus.com/creekwalk-news.html>. A short movie showing the extent of the path can be viewed. The Village should receive reimbursement funding from the NYSDOT soon.
- b. Street repairs – selected portions at the corner of First and Slocombe and Meadow Street and parts of the Village parking lot were recently paved. Asphalt repairs to Wilson Drive and Dunlap Avenue were scheduled to be completed in September. However, the Board was recently notified that the contractor is unable to complete the repairs during this construction season. This postponement is attributed to a backlog of paving operations all summer, not only by the contractor the Village hired, but universally with all paving companies. The Board was assured by the contractor that the company will schedule the Village paving project first on the company list for Spring 2018. The Board, along with the contractor, apologized for the postponement and hopes that the residents of Wilson Drive and Dunlap Avenue will understand the reasons for the delay.
- c. Sidewalks - per the D.P.W. Chief’s recommendations, repairs have or will be made to selected areas on South Street and other streets, pending budgetary concerns.
- d. Trees – some tree removals have been or will be done on South and Main Streets, and possibly Chrisler and Paul Streets, along with some trimming. Some tree plantings are expected to take place early fall but the locations have not yet been determined.
- e. Parking - With the winter months approaching, the Board reminded residents that there is no overnight parking (from 2:00 a.m. to 7:00 a.m.) allowed on Village streets from November 1st to April 1st. If ticketed by Village Police, the fee is \$35.00. The Board urged residents to use the Village parking lots for any overnight parking.
- f. Paul Street Project sidewalks - the construction of 450 feet of new concrete sidewalk along the north side of Paul Street, between North Street (NYS 174) and Austindale Avenue. Minor drainage improvements, such as cleaning existing drainage pipes and replacement of catch basin grates, are also included in the construction. The new sidewalk will eliminate a gap in the existing Village sidewalk system by connecting to existing sidewalks at North Street and Austindale Avenue. Pedestrians, including senior citizens, who live at Nine Mile Landing, and school children, must currently walk on the pavement of the roadway. The Board was pleased that the project is completed and thanked Senator John DeFrancisco and his staff for helping the Village to secure funding for the project.
- g. Highland Flooding – the Board tabled a proposed study until more funding can be secured. The Board is aware of flooding issues on Highland Drive and areas below after some severe rains this past summer. The Board is also conscious of the potential for more flooding in the area. The Board hopes that funding will become available in order to address what has been an on-going concern for decades for those living on Highland Drive as well as properties affected below.
- h. Clean Energy Community – As was mentioned in previous month’s updates, the Village of Marcellus has been designated a Clean Energy Community by the New York State Energy Research and Development Authority (NYSERDA). A

\$100,000 grant has been reserved for the Village of Marcellus to implement clean energy products this fall and winter. The grant application includes retrofitting of existing Village lights, including the historic lights on Main, North and South Streets, as well as the coach lights on Kinderwood Drive, to direct wire LED type fixtures. Other LED lighting retrofits have occurred in the Village Hall, the Village garage and the Water Pollution Control Plant. The Village Board is delighted with the designation and is very appreciative of the tireless efforts of Ryan Riefler and others in securing additional funding.

- i. NYSDEC Grant - \$16,000 - also mentioned at an earlier Board meeting, the Village was notified by the Commissioner of the NYSDEC that it has been awarded a rebate of \$16,000 for an infrastructure application relative to the 2016 Municipal Zero-emission Vehicle Rebate Program and the installation of an Electric Vehicle charging station in the Village parking lot. The grant money enabled the Village to install an EV charging station in the lot, and also allowed for the addition of lighting, cameras and asphalt paving to the site. Since the rebate is a 20% match, the Village will accomplish approximately \$20,000 work of work for \$4,000. The Board again credited and congratulated Ryan Riefler for his continued efforts on behalf of the Village and village residents.
- j. Household and Hazardous Waste – Do not pour hazardous waste or grease down the drain. Household hazardous waste products (such as paints, cleaners, oils, and pesticides) dumped down the drain are most often not removed by the wastewater treatment process. Harmful chemicals from the wastes end up in rivers, creeks, and lakes where they could eventually enter the natural food chain. Additionally, pouring hazardous waste down the drain could endanger the health of municipal workers, disrupt the treatment process, and accumulate pollutants in aquatic ecosystems. Residential users can rid their homes of dangerous chemicals by dropping off the products to Environmental Products and Services of Vermont, 532 State Fair Blvd, Syracuse, NY, Monday through Friday, 6:30 am to 6:00 pm, WITH AN APPOINTMENT. Appointments must be made (453-2866) five days in advance of the drop-off date. The Board also reminded residents to cover garbage can. Uncovered garbage often attracts crows and other pests. Washing out garbage cans and recyclable bins every so often, also promotes a healthier environment.

In addition, a Shred-O-Rama will be held on Saturday, October 7 from 8am until noon at the NYS Fairgrounds-Brown Parting Lot, across the street from Gates 3 & 4 on State Fair Blvd. Residents can bring confidential papers to be shredded at no charge. Five box limit per vehicle. Boxes should be medium-sized and easy to lift to keep attendees and staff safe from lifting injuries.

- k. Repair Plans - owning a home has its challenges and dealing with emergency repairs is definitely one of them. Not knowing who to call or how much the repair will cost can be overwhelming and frustrating. Home-Serve USA is a company that offers Emergency Repair Service Plans that protect a property owner from expensive repairs that are not typically covered by basic homeowners insurance, a local utility or a municipality. As a home ages, so does the exterior water service line that brings fresh water to a house and to the drainage system that removes sewage from a house to the Village sewer main in the street. If the lines fail, repair or replacement can be expensive and most basic homeowners insurance doesn't cover repairs to the water and sewer lines on a property. Home-Serve offers an exterior Water Service Line coverage as well as an exterior sewer line repair plan. The Board urged residents interested in either of the plans to contact Home-Serve at 1-888-752-6740 or info@homeserveusa.com
- l. School has begun – the Board reminded residents that students will again be walking to school, particularly on First Street. The New York State DOT has resumed operation of the flashing lights on North Street in the school zone. Village Police Department will continue to be vigilant in enforcing the traffic laws.
- m. Striping of Crosswalks – on some Village streets (by the Village) took place, fortunately before school started. Road striping on Main Street (by the County) also took place, but striping on North Street (by the State).
- n. Village Taxes - most have been paid. The current amount of unpaid taxes, including penalties, totals close to \$122,000, from 25 property owners. The figure is larger than last year, due to demolition costs associated with the lower Crown Mill being relieved to the Village taxes. The demolition costs alone totaled over \$93,500. Residents may continue to pay taxes to the Village until October 31, 2017. After that, they will be turned over to the County for reimbursement.
- o. Close on EFC Financing for Mandated Phosphorus Removal and WWTP Upgrades – at the August board meeting, the Board authorized the Mayor to close on EFC financing for the mandated phosphorus removal and Waste Water Treatment Plant upgrades. Paul Reichel, Bond Counsel for the Village, coordinated with the Environmental Facilities Corporation, in preparing documents for the funding, closed on September 14, 2017. The closing date guarantees that the Village will be able to secure interest-free financing for a 30-year loan in the amount of \$4,220,100, as well as an EFC grant in the amount of \$1,379,900, for a total of \$5.6 million. The Board continues to look for more

funding from other revenue streams in order not to overburden Village, Town and School District sewer users with high sewer rents. Designs are in place for the upgrade project and call for bids to be solicited for and received in November. Engineering review will take place in December and awarding the bid in December 2017 or January 2018. Construction is anticipated for Spring 2018 and should take about one year to complete.

- p. Utility Bills – the Board realizes that sewer users are very concerned about the potential for increased sewer bills. The Board has received several comments regarding the recent sewer increases and the concern that they will continue to rise. The Board explained the reasons for the rate increases, mostly attributed to the unfunded phosphorus removal mandate imposed by the NYSDEC. The Board hopes that additional rate increases will not be necessary but it will depend on the Board's ability to secure more funding.
- q. Thank You To Our Employees – the Village Board thanked those who participated in working on the flower boxes this year, particularly Village employee Kathy Welsh, and the highway department employees, whose attention to the care of the boxes during the summer was exceptional and enjoyed by the entire community. In addition, the Board called attention to the green space on the corner of Scotch Hill and North Street. The area is maintained by Village treatment plant employees, who continue to take care of the landscaping and provide another advertisement of the benefits of natural fertilizer. Compost is mixed in with the plantings in the flowerbeds and spread over the lawn area – showcasing the use of compost to the residents and visitors of Marcellus.
- r. Planning Board – has not met recently due to few issues being considered.
- s. Stormwater Management Program – Participation in the Stormwater Management Program offered by the CNY Regional Planning and Developments Board costs \$3,600 each year. The Village of Marcellus pays \$3,600 to participate in the one-year agreement, a cost that the Village Board strongly opposes. There are 31 participating municipalities, including the Town of Clay with over 58,000 residents. The Village of Marcellus, with under 2,000 residents, pays the same \$3,600 per year, which amounts to \$8 for each Village of Marcellus resident and 18 cents for each Town of Clay resident. The Board has protested this seeming unfair agreement in the past, and will continue to object to the fee in the future but Mayor Curtin explained that because of stormwater regulations, the Board is rather obligated to participate.

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.

The Regular Board Meeting was adjourned at 7:26 p.m.

Dawn M. O'Hara, Village Clerk