

Regular Meeting of the Village of Carthage Board of Trustees
Held in the Board Room of the Carthage Municipal Building
July 18, 2016

ATTENDANCE:

Members: President G. Wayne McIlroy; Deputy President Michael Astafan and Trustees Rebecca Vary, Kathleen Latremore and Linda Smith-Spencer.

Others: Kathy Amyot, Tug Hill Commissions; Edgar Countryman, DPW Superintendent; Ernie Prievo, Water Superintendent; Reginald Huber, Police Chief; Mark Gebo, Village Attorney; Alma Price; and sixteen Participation in Government Students.

CALL TO ORDER:

President McIlroy called the meeting to order at 6:00 p.m. followed by the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES:

Motion by Deputy President Astafan and seconded by Trustee Latremore to approve the minutes of the June 20, 2016 regular meeting as presented. Motion carried unanimously.

PUBLIC FORUM:

Ms. Price stated she received a parking ticket in front of Sew What Quilting Shop on State Street due to the one hour parking limit. Ms. Price expressed this is the first parking ticket she received and asked if the one hour parking restriction was new. President McIlroy explained there has been a one hour parking restriction on State Street for many years. President McIlroy stated there are two municipal parking lots adjacent to State Street. Ms. Price stated she is handicap and is unable to walk from the parking lots. Ms. Price feels it is impossible to abide by the one hour parking limit and patron the area businesses. President McIlroy stated he receives complaints from businesses because cars exceed the one hour parking limit. After considerable discussion, President McIlroy requested Chief Huber to look into the one hour parking limit and forward his recommendation to the Board at the next meeting on August 15, 2016.

ADJOURNED PUBLIC HEARING:

President McIlroy called the adjourned public hearing to order at 6:10 p.m. President McIlroy stated that Trustee Smith-Spencer, Mr. Prievo, the Clerk/Treasurer, and himself met to discuss Mr. Prievo's concerns with the proposed personnel policy changes. President McIlroy stated Mr. Prievo's concerns were forwarded to Attorney Gebo for his review and comment. President McIlroy expressed the following changes were made to the proposed personnel policy: §A.150-40. Physical examinations - removed the sentence "the cost not covered by insurance for such examination shall be borne by the Village of Carthage"; §A150-41 Use of Village vehicles - Employees are prohibited from driving any Village-owned vehicle to their residence, added "except while performing official job duties at their residence"; §A150-48.3 Medical insurance policy - the Village of Carthage currently provides medical insurance coverage to its employees, added back "and their spouses and children". President McIlroy asked two times if anyone wished to speak for or against the local law. With no one wishing to speak, there was a motion by Trustee Vary and seconded by Trustee Latremore to close the hearing at 6:19 p.m. Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to adopt Local Law #6 of 2016 as follows:

Chapter A150. Village Policies Article IV. Personnel

§A150-26. Applicability; exclusions.

Policies pertaining to terms and conditions of employment apply only to those employees of the Village of Carthage who are not represented by a collective bargaining unit and with whom the Village of Carthage has no labor agreement. Terms and conditions of employment for employees (including employees of the Carthage/West Carthage Sewage Treatment Plant) who are represented by a collective bargaining unit are stated in the agreement between such organization and the Village of Carthage.

§ A150-27 . Payments to employees and officials.

- A. Employees will be paid bi-weekly on Thursday for the two weeks ending the previous Saturday.
- B. When the Village Clerk/Treasurer is on vacation for a minimum of one week, the Deputy Clerk will receive, in addition to his or her regular salary, 1/2 the difference between his or her regular salary and the regular salary of the Village Clerk/Treasurer.
- C. When the Chief of Police is on vacation for a minimum of one week, the Sergeant or Acting Police Chief as designated by the board will receive, in addition to his or her regular salary, 1/2 the difference between his or her regular salary and the regular salary of the Police Chief.
- D. When the Superintendent of Public Works is on vacation for a minimum of one week, the Assistant Superintendent of Public Works or Acting Public Works Superintendent as designated by the board will receive, in addition to his or her regular salary, 1/2 the difference between his or her regular salary and the regular salary of the Superintendent.
- E. When the Water Superintendent is on vacation for a minimum of one week, the Acting Water Superintendent as designated by the board will receive, in addition to his or her regular salary, 1/2 the difference between his or her regular salary and the regular salary of the Water Superintendent.

§ A150-28. Paid holidays.

- A. Employees will be paid for the following eight holidays: New Year's Day, Labor Day, Columbus Day, Fourth of July, Memorial Day, Veteran's Day, Thanksgiving Day, and Christmas Day. In addition, the DPW Superintendent, Water Superintendent, Village Clerk's office and the Community Development Director all receive Good Friday afternoon off, beginning at 12:00 p.m., as a paid holiday, the Chief of Police and Sergeant receive the full day off on Good Friday and Easter as paid holidays. When a paid holiday occurs on a Saturday, the previous day (Friday) will be treated as the paid holiday. When a paid holiday occurs on a Sunday, the following day (Monday) will be treated as the paid holiday.
- B. In addition, three personal days, selected by the employee, will be paid for. In the event the employee is unable to use any portion of the three days by the end of the current fiscal year, they may be added to his or her accumulation of sick days at the beginning of the new fiscal year.

§ A150- 29. Longevity benefits.

Longevity pay shall be separate and distinct from the employee's regular salary and paid to the employee in a lump sum payment annually with the first payroll in June.

Length of Service With Village	Annual Longevity Payment
0 to end of 5th year inclusive	\$0
6th to end of 10th year inclusive	\$350
11th to end of 15th year inclusive	\$700
Over 15 years	\$1,050

- A. Longevity payments enjoyed by employees prior to this amendment (January 2, 2001), are to continue. If the level of longevity thus preserved exceeds that as specified above, the longevity level shall remain frozen until such time as the above schedule results in a payment that exceeds the employee's level currently enjoyed. At that time, the employee's longevity payment shall be in accordance with the above-specified schedule.

B. The Chief of Police and Sergeant shall be allowed the same longevity benefits and payment terms offered to union members under the police contract.

C. The DPW Superintendent and Water Superintendent shall be allowed the same benefits and payment terms offered to union members under the DPW Labor Contract.

§ A150- 30. Working hours and days.

A. In compliance with the Federal Fair Labor Standards Act of 1938, and its amendments, employees of the Department of Public Works (including the Water Department) will work a 40-hour straight-time week, as follows: Monday through Friday, 7:00 a.m. to 3:30 p.m., with 1/2 hour off for lunch. Non-exempt Employees will be paid at the rate of time and a half for each overtime hour worked over 40 hours in any given week. For clarification, hours worked does not include sick time or personal days.

B. When a non-exempt employee is called into work on a legal holiday, in addition to receiving holiday pay, said employee will be paid time a half for each hour worked as long as the employee reports for work both the day before and day after the holiday.

C. Members of the Police Department will work either a 36- or 48-hour workweek, on a staggered schedule, with one hour off for lunch.

D. The Village Clerk/Treasurer will work 8:30 a.m. to 4:00 p.m. Monday through Friday, with one hour off for lunch from October - June. The Village Clerk/Treasurer will work 8:30 a.m. to 4:00 p.m. Monday through Thursday with 1/2 hour off for lunch and 8:30 a.m. to 1:00 p.m. on Friday from July - September. The Clerk/Treasurer or, in his or her absence, the Deputy Clerk will attend all Village Board meetings to take minutes. The Deputy Clerk and other office personnel will work during the hours the Village office is open: 8:00 a.m. to 4:00 p.m., Monday through Friday, with one hour off for lunch from October - June. The Deputy Clerk and other office personnel will work during the hours the Village office is open: 8:00 a.m. - 4:00 p.m. Monday - Thursday with 1/2 off for lunch and 8:00 a.m. - 1:00 p.m. on Friday from July - September. Part-time workers will have designated hours of work.

E. The Community Development Director will work 8:30 a.m. to 4:30 p.m. Monday through Friday, with one hour off for lunch.

§ A150- 31. Vacations.

A. Vacation shall accrue at 1/2 the annual rate for each six months of completed service with the Village. An employee may take vacation with pay at any time after it has been accrued and under a departmental schedule in such manner as to maintain public service.

B. After one year of continuous full-time employment, an employee shall be entitled to an annual, noncumulative, paid vacation of two weeks (10 working days). After *five* years the employee is entitled to annual, noncumulative, paid vacation of three weeks (15 working days). After 10 years the employee is entitled to annual, noncumulative, paid vacation of four weeks (20 working days). After 16 years the employee is entitled to annual, noncumulative, paid vacation of five weeks (25 working days).

C. Upon termination of employment, either by resignation or retirement, an employee furnishing at least two weeks' notice of his or her intended employment terminations shall be entitled to compensation, at his or her straight time rate of pay, for unused vacation time to which he or she otherwise would be entitled. If, however, the employee is a department head, one month's notice shall be required as a condition of eligibility for unused vacation time compensation.

§ A150-32. Other benefits.

A. All regular full-time employees will be enrolled in the New York State Retirement System.

B. Employees will be covered by disability insurance and workers compensation insurance, in accordance with New York State law.

C. Sick leave. Each full-time employee will be entitled to 1 1/4 days of certifiable sick leave per month, accumulative to 60 days.

(1) In the event an employee reaches the full accumulation of 60 days, they shall be entitled to receive \$15 for each unused sick day over the sixty-day accumulation. Payments shall be made at the beginning of the new fiscal year for the ending of the previous fiscal year. Upon retirement from the Village, employees shall receive \$20 per unused accumulated sick day.

D. Each full-time employee will be entitled to three days off, with pay, in the event of the death of a member of his or her immediate family, to include spouse, mother, father, sisters, brothers, children (of both the employee and his or her spouse). In addition, employees are also entitled to one day off for the funeral of the employee's grandparents only.

E. Clothing allowance.

(1) The DPW Superintendent and Water Superintendent shall be entitled to the clothing allowance and work shoe allowance benefit equivalent to what is allowed union members under the DPW contract.

(2) The Chief of Police and Sergeant shall receive an annual uniform credit and dry cleaning allowance equivalent to those allowed to union members under the police contract.

F. Employees required to carry cell phones for work purposes, who do not have a cell phone provided by the Village, shall receive \$15 per month which will be paid on an annual basis.

G. Reimbursements.

(1) Employees or officials of the Village of Carthage who have been authorized by the Village Board to use their private vehicles for Village business, will be reimbursed at the prevailing New York State rate.

(2) Employees or officials will be reimbursed for reasonable expenses (fees, meals, lodging, travel) incurred in attendance at meetings, conferences, conventions, hearings, and the like, provided such attendance has been authorized by the Village Board.

§ A150-33. Salary or wage deductions.

Deductions from employees' paychecks (for dues, insurance, sheltered annuity, contributions, etc.) will be made only upon execution of a payroll deduction authorization signed by the employee. Other deductions (social security, federal and state income tax withholdings, Department of Social Services payments, garnishees, etc.) will be made as required by law.

§ A150- 34. Jury duty.

Any employee required to serve on a jury will receive full regular pay as an employee of the Village for the period of time he or she is on jury duty, and will endorse his or her jury duty check to the Village of Carthage; except, however, that if the jury duty check includes an allowance for travel expense and meals, the employee may retain the amount of such allowance.

§ A150-35 . Bonding.

To safeguard Village funds, the Village Board shall purchase a "blanket bond" covering all Village personnel handling Village funds.

§ A150-36. Conflicts of interest.

A. No official or employee shall have an interest in any contract with the Village of Carthage.

- B. No official or employee shall solicit or accept any gift having a value of \$75 or more, under circumstances in which it could be inferred that the gift was expected to influence the official or employee in the performance of his or her duties, or was intended as a reward for any official action on his or her part.
- C. No official or employee shall disclose confidential information acquired in the course of his or her official duties, nor shall any official or employee of the Village of Carthage use such information to further his or her personal interests.

§ A150- 37. Fundraising.

No fundraising campaigns may be conducted among or by Village personnel, or on Village-owned premises, without the express permission of the Village Board.

§ A150-38. Confidentiality.

Lists of any data pertaining to Village personnel (officers, employees, etc.) shall be maintained for Village purposes only, and shall not be distributed or made available, in part or wholly, to the media, salespersons, vendors, compilers of lists, public opinion researchers, or the like.

§ A150-39. Files.

The Village Clerk shall maintain personnel files for all employees of the Village. Personnel files shall contain the following information:

- A. Name and address.
- B. Education.
- C. Preparation, training, experience, qualifications.
- D. Date of birth.
- E. Health condition.
- F. References.
- G. Social security number.
- H. Telephone number.
- I. Position obtained.
- J. Date employment started.
- K. Date employment ended.
- L. Reason for termination of Village employment.
- M. Documents constituting proof of the foregoing data, such as a birth certificate or diploma, shall be included in the personnel file.

§ A150-40. Physical examinations.

Employees shall have a physical examination at least once every five years, or as requested by the Village Board. The results of such examination shall be reported to the Village Board and shall be entered in the employee's personnel file. When the results of such examination indicate the employee is not fit for duty by reasons of health, the Village Board may suspend or discharge the employee, or grant the employee a leave of absence, depending on the nature and severity of the employee's disability.

§ A150-41. Use of Village vehicles.

With the exception of on-duty police officers who reside in the Village, employees are prohibited from driving any village-owned vehicle to their residences except while performing official job duties at their residence. All Village vehicles are to be left in their designated storage area at the close of each working day or shift.

§ A150-42. Games of chance enforcement officer.

The Police Chief is designated the chief law enforcement officer for the purpose of exercising control and inspection of games of chance activities in the Village of Carthage.

§ A150-43. Applications for employment.

A. All applications for employment will be kept on file by the Village Clerk for a minimum of two years.

B. Applications for employment shall contain the following information:

- (1) Name and address.
- (2) Education.
- (3) Preparation, training, experience, and qualifications.
 - (4) Names and addresses of previous employers, and dates of employment.
 - (5) Reason for termination of most recent job or position. (6) Date of birth.
- (7) Health condition.
- (8) References.
- (9) Social security number.
- (10) Telephone number.
- (11) Position sought.

C. If a tentative offer of employment is tendered, the applicant shall be required to undergo a physical examination and drug testing prior to the commencement of employment. Final determination of the applicant's employment will depend on results of such examination.

D. If tentative offer of employment is tendered, the applicant shall be required to undergo a background check which shall include the supplying of fingerprints through the Village of Carthage Police Department so that the same may be run through the Division of Criminal Justice Services. The Police Department shall perform a further background check as well. Final determination of the applicant's employment will depend on the results of such background check.

§ A150-43.1. Harassment prohibited.

A. The Village is committed to providing a work environment that is free of discrimination. Actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age, religion, handicap, or any other legally protected characteristic will not be tolerated. As an example, sexual conduct (both overt and subtle) can serve to create an offensive work environment and is thus prohibited.

B. Any individual who has reason to believe that he or she is the victim of impermissible harassment should promptly report the facts of the incident to his or her supervisor or to the

Village Clerk. Oftentimes a statement made in jest can nonetheless be offensive. Please report such incidents immediately. A prompt investigation will be conducted, and the Village will take appropriate corrective action where it is warranted.

C. If you feel that appropriate action has not been taken, you may apply to the Village Board by letter for a further review. The Village Board shall as a group meet with you and take whatever further action, if any, it feels is warranted to remove hostility from the workplace.

§ A150-44. Preferences in hiring.

A. The Village of Carthage will give preference in hiring to disabled veterans and other disabled persons and to residents of Carthage who are as capable and qualified for the position being filled as any other applicant.

B. The Village of Carthage is declared to be an Equal Opportunity Employer.

§ A150-45 . Civil service.

The hiring of persons for Village of Carthage positions classified as "civil service" shall be subject to requirements of the Jefferson County Civil Service Commission.

§ A150-46. Special employment.

The Village of Carthage shall cooperate with the Personnel Office of the County of Jefferson in its special employment programs. Persons will be accepted through such programs only upon Village Board approval and only on the condition that the Village of Carthage shall incur no additional expense. Persons so hired will be ineligible for membership in any bargaining unit recognized by the Village Board but will be subject to policies governing the terms and conditions of employment as apply to regular Village employees. The employment of persons hired under such special grants or programs will be terminated if funding is reduced or discontinued, unless appointment is extended by the Village Board.

§ A150-47. Hiring authorizations.

A. Employees of the Department of Public Works, including the Water Department, shall be hired by the Village Board in accordance with budget limitations established by the Village Board. Recommendations for such hiring may be made to the Village Board by the Superintendent of Public Works and/or the Water Superintendent.

B. Part-time police shall be hired by the Village Board in accordance with budget limitations established by the Village Board. Recommendations for such hiring may be made to the Village Board by the Chief of Police, who shall determine the work schedules of such police.

§ A150-48. Personal appearance.

All employees are expected to report to work in reasonably clean clothing and be neatly attired. Such employees themselves are to be reasonably clean and presentable, as they are representatives of the Village of Carthage while at work. Further, as a courtesy to their fellow employees, personal hygiene must be maintained within normal standards.

§ A150-48.1. Complaints against Village Employees.

A. Statement of purpose. The Board of Trustees of the Village of Carthage has found that it is essential to the efficient operation of the government that public confidence be expressed in all employees of the Village. Accordingly, whenever any complaint is made against any Village employee, it shall be taken seriously.

B. Complaint. All complaints shall be reduced to writing. The person receiving the complaint, if received orally, shall reduce it to writing. A copy shall be given to the employee.

C. Investigation. Upon receipt of a complaint, it shall be referred to the employee's immediate supervisor for investigation. The investigation shall consist of speaking to the complainant and the employee, at a minimum. If there are other witnesses to the alleged incident, those witnesses should also be consulted.

D. Report. The supervisor shall render a written report that concludes whether the complaint has merit, has no merit or whether the investigation was inconclusive. A copy of such report shall be given to the employee.

E. Action based on investigation. The following action shall be taken with respect to the report:

- (1) In the event a complaint is found not to have merit after investigation, the employee shall be so notified in writing and all reference to the complaint shall be removed from the employee's personnel file.
- (2) In the event that the investigation is inconclusive, the investigative report shall remain in the employee's file for six months, after which time it shall be removed. The supervisor, if appropriate, may provide the employee with a counseling letter relative to the complaint.
- (3) In the event the complaint is found to have merit, appropriate disciplinary action shall be taken in accordance with §75 of the Civil Service Law.

F. Union contracts. Nothing in this policy is deemed to amend or alter any obligation the Village may have to employees pursuant to any collective bargaining agreement.

§ A150-48.2. Equal employment opportunity policy statement.

A. It is the policy of the Village of Carthage to provide equal employment opportunity to all people without regard to race, color, sex, religion, age, national origin, disability, sexual preference or Vietnam Era Veteran status. The Village of Carthage Board of Trustees is personally committed to assuring that the Village of Carthage will act affirmatively to develop avenues of entry and mobility for minorities, women, individuals with disabilities and Vietnam Era Veterans through the following activities:

- (1) Development of programmatic approaches to the elimination of all unjust exclusionary employment practices, policies and consequences;
- (2) Development of educational and training programs for all employees with emphasis on our goals for upgrading minorities, women, individuals with disabilities and Vietnam Era Veterans;
- (3) Development of personnel practices, policies and career ladders to assist and encourage upward mobility of employees restricted to lower levels;
 - (4) Development of mechanisms for swift and judicious resolution of complaints of discrimination consistent with our policy and other applicable statutes; and
 - (5) Provision of reasonable accommodations to enable qualified individuals with disabilities to enjoy equal employment opportunities and equal terms, conditions and privileges of employment.

B. To effectuate this policy, we have designed a plan which conforms with all relevant federal and state nondiscrimination laws and regulations, including but not limited to: the Civil Rights Act of 1964, as amended; the Rehabilitation Act of 1973, as amended; the Americans with Disabilities Act; the Vietnam Era Veteran's Readjustment Act of 1974; and the New York Human Rights Law. The plan applies to all job classifications and titles in the Village of Carthage jurisdiction. It governs all Village of Carthage employment policies, practices and actions, including, but not limited to, recruitment, hiring, discipline, rate of pay or other compensation, advancement, reclassification, reallocation, promotion, demotion discharge and

employee benefits. I will see that the Affirmative Action Office is provided with all available resources necessary for the execution of its program responsibilities. Moreover, all managers, supervisors and employees must make consistently diligent efforts to implement this policy in day-to-day program and employment decisions. Affirmative action considerations will be an integral part of all organizational activities performed in the furtherance of our mission and in meeting our responsibilities to the state's citizens.

§ A150-48.3. Medical insurance policy.

- A. The Village of Carthage currently provides medical insurance coverage to its employees and their spouses and children.
- B. The issue of contribution by employees to cost of the premiums for each medical insurance for union employees is addressed in their respective labor contracts.
- C. The Village wishes to establish a policy for nonunion employees who receive the medical insurance plan.
- D. The Board of Trustees shall require a contribution of medical insurance premiums from any nonunion employees at a minimum rate equal to the amount required to be paid by union employees. The DPW Superintendent, Water Superintendent, Clerk/Treasurer, Deputy Clerk and Community Development Director will contribute to medical insurance premiums according to the DPW union contract. The Chief of Police and Sergeant will contribute to medical insurance premiums according to the police union contract. Medical insurance premium contributions for nonunion employees may be specified from time to time by the Village Board by resolution.

§ A150-48.4. Family Medical Leave Act

It is the policy of the Village of Carthage to comply with the provisions of the Family Medical Leave Act (FMLA). The Village of Carthage does not employ 50 or more employees who work 20 or more calendar workweeks per year therefore, Village employees may not be eligible under the FMLA. Motion carried unanimously.

CORRESPONDENCE:

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to permit Janet Callahan to use alcohol at their family reunion at the Recreation Building on Saturday, July 23, 2016 providing they follow the Village Code governing the use of alcoholic beverages. Motion carried unanimously.

President McIlroy read the correspondence received from Girl Scout Troop 50131 requesting the use of the Recreation Building on every other Wednesday from 5:30 p.m. - 7:00 p.m. Trustee Latremore requested clarification from letter and dates therefore President McIlroy requested the Clerk/Treasurer to hold this over until the August 15, 2016 meeting.

Motion by Trustee Latremore and seconded by Trustee Vary, based on the endorsement of the DPW Superintendent, to approve the request of the Village of Deferiet to allow two of their employees to train with the DPW employees in order for them to obtain their CDL licensing providing they coordinate with our DPW Superintendent for scheduling. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Vary, based on the recommendation of the Water Superintendent, to deny the requests for a sewer credit at 4 and 5 Braman Lane due to watering their new hydro-seeded lawns put in by Habitat for Humanity and further request President McIlroy to contact Habitat for Humanity informing them of the high bills. Motion carried unanimously.

President McIlroy read the correspondence from Joseph Brady regarding a dangerous tree at 602 Alexandria Street which is not on Village property. Mr. Countryman stated he thought the CEO contacted the property owner in the past about the tree. President McIlroy will follow up with the CEO regarding the tree.

President McIlroy read the correspondence from the US Environmental Protection Agency regarding samples they collected under the third cycle of the Unregulated Contaminant Monitoring Regulation. Mr. Prievo explained the Village was randomly selected and the USEPA takes quarterly samples.

President McIlroy read the correspondence received from the Carthage Area Chamber thanking the Village for allowing the Fireworks Festival.

President McIlroy read the correspondence from First Niagara and Key Bank regarding the two organizations merging under the Key Bank name which is anticipated to occur in October 2016.

President McIlroy read the correspondence from NYS Public Service Commission regarding stray voltage testing and inspections.

President McIlroy read the correspondence from the NYS Public Service Commission regarding the existing pole attachment policies apply to wireless communications providers.

President McIlroy stated the RACOG ZBA and Town of Wilna Joint Planning Board minutes were placed in the Board packet for the Boards information.

OLD BUSINESS:

At the February 16, 2016 meeting, the Board authorized Attorney Gebo to send a letter to Ablans Business Center regarding their Village Loan Fund loan.

Update 03/07/16: The Board has not received a response from Ablans Business Center therefore President McIlroy requested the Clerk/Treasurer to hold this over until the March 21, 2016 meeting.

Update 03/21/16: Attorney Gebo requested an Executive Session to discuss this matter.

Update 04/04/16: The Clerk/Treasurer stated Ms. Ablan has yet to respond. President McIlroy requested the Clerk/Treasurer to hold this over until the April 18, 2016 when Attorney Gebo is present.

Update 04/18/16: Attorney Gebo stated he has yet to receive a response from Ms. Ablan. Attorney Gebo stated the board has two choices; to accept the \$100.00 monthly payments, which does not cover interest on the loan or return the checks received and sue for the monthly payments. President McIlroy requested Attorney Gebo to return the checks and pursue court proceedings.

Update 05/02/16: President McIlroy stated the Board will continue with legal proceeding and will discuss the progress at the next meeting when Attorney Gebo is present.

Update 05/16/16: Attorney Gebo requested an Executive Session to discuss the financial history of a particular business. The Board authorized the Clerk/Treasurer to accept \$100.00 monthly payments.

Update 06/06/16: President McIlroy stated there is correspondence in an Executive Session file provided by Attorney Gebo.

Update 06/20/16: Attorney Gebo requested an Executive Session to discuss the employment history of a particular business. The Board authorized Attorney Gebo to send correspondence to Ms. Ablan.

Update 07/20/16: Attorney Gebo stated he sent correspondence to Ms. Ablan-Woodrow and has not received a response so he will follow up with another letter.

President McIlroy asked if Deputy President Astafan and Trustee Smith-Spencer had developed a policy regarding hardhat use at the DPW and Water Department and Deputy President Astafan responded he anticipates having information for the Board to review at the June 6, 2016 regular meeting.

Update 06/06/16: Deputy President Astafan stated the policy is a work in progress.

Update 06/20/16: President McIlroy stated we have a policy at the DPW which addresses wearing hardhats and requested Deputy President Astafan and Trustee Smith-Spencer to review and update. President McIlroy requested the Clerk/Treasurer to hold this over until the July 18, 2016 meeting.

Update 07/20/16: Deputy President Astafan stated he has started going through the current policy which is a good template. Deputy President Astafan expressed he will meet with Mr. Prievo, Mr. Countryman, and the Clerk/Treasurer and will have a draft for review at the next meeting.

Attorney Gebo stated the 120 day notice period for Springbrook to cancel the contract has expired. Attorney Gebo further stated the only correspondence received from Springbrook was a bill for accounting software they never delivered. Attorney Gebo stated he will proceed with collections from Springbrook.

At the May 16, 2016 meeting, Attorney Gebo stated he reviewed the agreement with Tyler Technologies for accounting software. Attorney Gebo explained it is an extensive agreement and suggested the Board wait until the timeframe required for the Springbrook accounting software has expired until signing this agreement. President McIlroy requested the Clerk/Treasurer hold this over until the June 6, 2016 regular meeting.

Update 06/06/16: President McIlroy requested the Clerk/Treasurer to hold this over until the June 20, 2016 meeting when Attorney Gebo is present.

Update 06/20/16: President McIlroy requested the Clerk/Treasurer to hold this over until the July 18, 2016 meeting.

Update 07/18/16: Deputy President Astafan asked if Attorney Gebo is comfortable with President signing the contract. Attorney Gebo stated he had some questions of which the Clerk/Treasurer obtained answers.

Motion by Trustee Latremore and seconded by Trustee Vary authorizing President McIlroy to sign the agreement with Tyler Technologies, Inc. for an integrated municipal accounting software including the Financial Management Suite, the Personnel Management Suite, and Customer Relationship Management Suite, previously reviewed by Attorney Gebo, in the amount of \$65,465.00. Motion carried unanimously.

At the June 6, 2016 meeting, President McIlroy encouraged Trustees to review the correspondence provided to them at the meeting regarding the report for the timber trespass on the Village Watershed Property and requested the Clerk/Treasurer to forward it to Attorney Gebo. Mr. Prievo stated Erik Hirschey will make himself available to speak with the Board and the Attorney regarding the trespass incident. Mr. Prievo stated Mr. Hirschey estimates approximately 135 trees have been cut which include 29 which were cut after Attorney Gebo sent Mrs. Lyndaker a letter informing her of their encroachment on Village property. Mr. Prievo stated he met with Mrs. Lyndaker's son who admitted cutting down the trees. Trustee Latremore suggested calling the Sherriff's Department and President McIlroy suggested seeking advice from Attorney Gebo.

Update 06/20/16: Attorney Gebo stated he received a telephone call from Mrs. Lyndaker regarding the cutting of the trees and stated she is in the audience with her son Chet. Mrs. Lyndaker expressed she read the article in the newspaper again and the allegations are not true. Mrs. Lyndaker stated no further trees were cut after they were notified. Mr. Lyndaker expressed he thought he could cut every other tree along the property line and he further stated he only cut every forth tree. Mrs. Lyndaker state they did not deliberately cut trees on Village property. President McIlroy stated Mr. Prievo and a Village employee walked the line and found more trees cut. After considerable discussion, President McIlroy requested Mr. Prievo and Mr. Hirschey to walk the borderline with the Lyndaker's. No action was taken therefore President McIlroy requested the Clerk/Treasurer to hold this over until the July 18, 2016 meeting.

Update 07/20/16: President McIlroy and Mr. Prieto met with Mrs. Lyndaker and her son Chet to walk the property border. President McIlroy stated Mrs. Lyndaker would like to settle the matter in a neighborly fashion. Mr. Prieto stated Mrs. Lyndaker and her son are questioning the property line markings Mr. Hirschey made.

After considerable discussion, there was a motion by Trustee Latremore and seconded by Trustee Smith-Spencer to have Attorney Gebo send a bill to Mrs. Lyndaker based on the assessment of the timber removed from the Village Watershed provided by Mr. Hirschey, to include payment for North Country Forestry Services, and attorney fees. Motion carried unanimously.

At the June 20, 2016 meeting the Carthage Area Chamber, on behalf of Ronald Compo, requested to waive the fee for the use of the restrooms at Farmers Market Pavilion. The Board tabled the use of the restrooms at the Farmers Market Pavilion until President McIlroy received more information from Mr. Compo.

Update 07/18/16: President McIlroy requested the Clerk/Treasurer to remove this item from the agenda as Mr. Compo did not get back to him.

At the June 20, 2016 meeting, President McIlroy read the request received from Attorney Timothy Farley's office on behalf of the Town of Wilna Housing Authority requesting better signage for the crosswalk from Long Falls Apartments to Rite Aid on Canal Street.

Update 07/18/16: President McIlroy stated he spoke with Kelly Bush, Housing Director and they agreed to have the DPW stripe the crosswalk which was done prior to the meeting.

At the June 20, 2016 meeting, the Board authorized advertising for a sealed bid request for a Wheel Loader to be reviewed at the July 18, 2016 meeting.

Update 07/18/16: President McIlroy stated two bids were received for the wheel loader; 2016 Model 621 F Case Loader \$149,990. from Monroe Tractor and 2016 Model HL940 Hyundai \$119,987.00, from Tracey Road Equipment.

Motion by Deputy President Astafan and seconded by Trustee Vary, based on the recommendation of the DPW Superintendent, to award the bid to Tracey Road Equipment for the 2016 Model HL940 Hyundai Wheel Loader in the amount of \$119,987.00. Motion carried unanimously.

At the June 20, 2016 meeting, the Board rejected the bids received for the Infiltration and Inflow Study at Metro Paper as only one bid was received and further authorize re-advertising for a sealed bid request for the Infiltration and Inflow Study at Metro Paper to be reviewed at the July 18, 2016 meeting.

Update 07/18/16: President McIlroy stated two bids were received for the Infiltration and Inflow Study at Metro Paper; BCA Engineers Architects \$39,730.00 and GHD Consulting Services Inc. \$40,000.00.

Motion by Deputy President Astafan and seconded by Trustee Vary, based on the recommendation of the review committee, to award the bid to BCA Engineers Architects in the amount of \$39,730.00. Motion carried unanimously.

At the June 20, 2016 meeting, the Board asked why the Police Department address garbage and lawns not mowed throughout the Village as they feel it is a Code Enforcement Officer issue. Chief Huber suggested a part-time position for property maintenance and Trustee Smith-Spencer agreed. President McIlroy stated he will look into it and to hold the discussion over until the July 18, 2016 meeting.

Update 07/18/16: President McIlroy spoke with the CEO who is willing to address property maintenance codes. Attorney Gebo stated he will submit a draft of the amended law for review at the August 15, 2016 meeting.

At the June 20, 2016 meeting, the Board set an Evidentiary Hearing regarding 780 West End Avenue on July 18, 2016 at 5:30 p.m. which the CEO deemed unsafe.

Update 07/18/16: Attorney Gebo stated Ms. Mono waived her rights to the Evidential Hearing and consented to a finding that the building is unsafe. President McIlroy expressed he was informed there may be a problem with the property as the former Town of Wilna Highway Department was next door to the building and may have contaminated the surrounding soil. President McIlroy stated the CEO suggested a meeting with the Town Supervisor, CEO, and himself to discuss the issue. Attorney Gebo suggested the structure could possibly be removed without disturbing the soil. President McIlroy stated he will look into the issue.

At the June 20, 2016 meeting, Mr. Cook stated he is willing to volunteer his time to supervise and paint the Skate Park and President McIlroy requested Mr. Cook to speak with Chief Huber regarding painting equipment at the Skate Park.

Update 07/18/16: President McIlroy stated Chief Huber recommended the work to be professionally done by the DPW.

At the June 6, 2016 meeting, the Board authorized Slack Chemical to purchase parcel 86.42-1-20 for the appraised value of \$2,800.00.

Update 07/18/16: Attorney Gebo stated he has been contacted by Slack Chemical's attorney regarding the property sale.

Motion by Trustee Smith-Spencer and seconded by Trustee Latremore authorizing President McIlroy to sign the property transfer agreement with Slack Chemical to purchase parcel 86.42-1-20 for the appraised value of \$2,800.00. Motion carried with Deputy President Astafan abstaining.

NEW BUSINESS:

Motion by Deputy President Astafan and seconded by Trustee Vary authorizing President McIlroy to sign a letter of support for the Town of Wilna to be enclosed in their planning grant application for the former Crown Cleaners site in the Village of Herrings. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary to formally approve the letter of support sent to the Missile Defense Agency in support of Fort Drum as the Preferred Site for an East Coast Missile Defense Agency Ground-Based Interceptor site. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Deputy President Astafan, based on the recommendation of the CDBG Committee, authorizing President McIlroy to sign the loan subordination agreement for refinancing of mortgage for CDBG Project 2013-18. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary, based on the recommendation of the CDBG Committee, authorizing President McIlroy to sign the loan subordination agreement for refinancing of mortgage for CDBG Project 2011-04. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Deputy President Astafan authorizing President McIlroy to sign the annual agreement with the Carthage Food Pantry to provide food to needy families in the Village of Carthage for the period June 1, 2016 - May 31, 2017 in the amount of \$1,000.00. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer authorizing President McIlroy to sign the annual agreement with the Carthage Free Library to provide library privileges to Village

residents for the period August 1, 2016 - July 31, 2017 in the amount of \$6,000.00. Motion carried unanimously.

Motion by Trustee Vary and seconded by Trustee Smith-Spencer authorizing President McIlroy to sign the annual agreement with the Wilna-Champion Transportation Association, Inc. for the provisions of shuttle bus services to the elderly and/or disabled Village residents for the period July 1, 2016 - June 30, 2017 in the amount of \$6,000.00. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Deputy President Astafan to approve Independent Commercial Contractors, Inc. to remove asbestos from the boiler room in the Municipal Building for an amount not to exceed \$2,360.00. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Deputy President Astafan to approve Hyde-Stone Mechanical Contractors to perform repairs in the boiler room in the Municipal Building to valves to include draining and refilling the boiler system in an amount not to exceed \$2,500.00. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Deputy President Astafan to approve a budget transfer as follows:

A.1620.0442 Building Maintenance	\$5,000.00
A.1990.0400 Contingencies	\$5,000.00

Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary to set a public hearing to revise the Village of Carthage Code Chapter 6-3 Standards of Conduct to be consistent with the Personnel Policy on August 15, 2016 at 6:10 p.m. Motion carried unanimously.

President McIlroy requested to hold the memo submitted by Chief Huber for an Executive Session to discuss the potential employment of two Police Officers.

Motion by Deputy President Astafan and seconded by Trustee Latremore, based on the recommendation of the DPW Superintendent, to declare the 2001 Dodge 2500 4X4 surplus equipment and further to request sealed bids for the vehicle to be considered at the August 15, 2016 meeting. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Deputy President Astafan to approve the request of the Water Superintendent to increase the amount budgeted for the purchase of the new truck in the amount of \$250.00 as the vehicle originally quoted is no longer available. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer to accept the monthly departmental reports from Community Development, DPW, Police Department, Water Department, and Treasurer as presented. Motion carried unanimously. The Code Enforcement and Court reports were not submitted.

Deputy President Astafan and Trustee Smith-Spencer reviewed the monthly bills and bank statements including reconciliations prior to the meeting. The documents were also available at the meeting. Deputy President Astafan thanked Mr. Countryman, Mr. Prievo, and Chief Huber for their efforts of documenting details on items they have purchased. Deputy President Astafan stated it is very helpful to him when he reviews the bills.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to approve payment of payrolls and bills as follows: General Fund \$123,957.00; Special Grant Fund \$198.74; Water Fund \$25,704.41; and Sewer Fund \$8,973.40. Motion carried unanimously.

ATTORNEY GEBO UPDATE:

Attorney Gebo requested an Executive Session to discuss the collective bargaining for the Police Department.

PRESIDENT MCILROY UPDATE:

President McIlroy stated the JCIDA wants the Village to sign a PILOT with the Railroad and he is holding out because of the railroad crossings and the Railroad did not pay the PILOT before. According to JCIDA, the Railroad is entering an agreement with the County to pay monies owed from past PILOT. President McIlroy asked Ms. Amyot if the agreement to include the Village of Deferiet in RACOG was complete. Ms. Amyot stated Tug Hill Commissions is still working on the agreement. President McIlroy asked Attorney Gebo if the Village Board can act as the Health Officer as the Villages are paying too much for the Health Officer. Attorney Gebo stated he did not think the Board could act as the Health Officer and suggested President McIlroy to contact the current Health Officer to re-negotiate the current contract. President McIlroy asked Attorney Gebo about the newly enacted Zombie Property Law. Attorney Gebo stated the law is only effective with mortgage holders and should assist Village with abandoned properties. President McIlroy stated there is a Joint Utility meeting on July 20, 2016 at 4:00 p.m. at the West Carthage Municipal Building; Twin Villages Christmas Committee meeting on July 27, 2016 at 12:00 p.m. at the Carthage Municipal Building; CIDC meeting on July 27, 2016 at 4:00 p.m. at the Carthage Municipal Building; and the next Village Board meeting is August 15, 2016 at 6:00 p.m. President McIlroy asked Deputy President Astafan if he can chair the meeting because he will be out of town.

LIAISON REPORTS AND COMMENTS:

Trustee Latremore stated she will be out of town from July 26, 2016 - August 10, 2016.

MEDIA QUESTIONS:

None.

EXECUTIVE SESSION:

Motion by Trustee Latremore and seconded by Trustee Vary to enter Executive Session at 7:15 p.m. to discuss the potential employment of two police officers; the employment history of a particular police officer and the employment history of a particular DPW employee. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary to resume Regular Session at 7:40 p.m. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary to accept the resignation of Jordan McLane from the Police Department. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary to hire Brendon Ordway as full-time policy officer effective July 25, 2016 at the rate of \$18.12 per hour and further to send the request to Jefferson County Human Resources and request they allow him to laterally transfer from the St. Lawrence County Sheriff's Department. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary to hire Peter Conway as a part-time Police Officer and Court Security (Clerk) effective July 25, 2016.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer, providing Walter Weaver is not able to provide a doctor's note stating he is able to return to work with no restrictions on or before July 25, 2016, authorizing President McIlroy to sign the a letter informing Mr. Weaver the Village has no choice but to terminate his position as he has been separated from a service for more than one year. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer authorizing the Clerk/Treasurer to advertise in the Carthage Tribune for a full-time DPW Laborer. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary requesting the Clerk/Treasurer to send a prorated bill statement to Jordan McLane in the amount of \$733.33 for police training costs as he did not fulfill the terms of the agreement signed on July 21, 2014. Motion carried unanimously.

ADJOURNMENT:

Motion by Trustee Latremore and seconded by Trustee Vary to adjourn at 7:45 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy O'Shaughnessy
Village Clerk/Treasurer