

Regular Meeting of the Village of Carthage Board of Trustees
Held in the Board Room of the Carthage Municipal Building
February 19, 2013

ATTENDANCE:

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

Others: Reginald Huber, Jr., Village Police Chief; Ernie Prievo, Water Superintendent; Elaine Avallone, Johnson Newspapers; two Participation in Government Students; and three guests.

CALL TO ORDER:

President McIlroy called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES:

Motion by Trustee Latremore and seconded by Trustee Vary to approve the minutes of the January 22, 2013 regular meeting as presented by the Clerk/Treasurer. Motion carried unanimously.

The February 4, 2013 regular meeting was cancelled due to lack of a quorum.

PUBLIC FORUM:

None.

CORRESPONDENCE:

Motion by Trustee Latremore and seconded by Trustee Vary to allow the St. James Church to conduct the annual St. James Fair on June 13, 14, 15, 2013; allow them to close West Street from South School Street to South Mechanic Street during the event; and further authorize them to put banners up on State Street by the bridge and the Carthage Park a few weeks prior to the event providing they notify the DPW in advance. Motion carried unanimously.

President McIlroy attended the Stormwater Information Session and Training Presented by NYS Tug Hill Commission. In 2010 the surrounding area, which includes Village of Carthage, was reclassified at an Urbanized Area. This reclassification brings new requirements to include studying area transportation and obtaining permits from the DEC to regulate stormwater.

OLD BUSINESS:

On January 7, 2012, President McIlroy requested the Clerk/Treasurer to add the Water Superintendent Report regarding Village forest property.

Update 01/22/13: President McIlroy requested that the Trustees review the material and decide if they are interested in leasing the property.

Update 02/19/13: After considerable discussion regarding the potential liability to the Village of Carthage regarding leasing the Village forest property;

Motion by Trustee Latremore and seconded by Trustee Vary to have Mr. Prievo proceed with his research of the pros and cons to leasing the Village forest property. Motion carried unanimously.

On January 22, 2013, Timothy Farley, Attorney for the Estate of Sigrid DeRosia, submitted a request for a reduction in the repayment of CDBG funds obtained by Ms. DeRosia. President McIlroy requested to refer this issue to the CDBG review committee so they can further research Mr. Farley's request.

Update 02/19/13: No action was taken therefore President McIlroy requested the Clerk/Treasurer to hold this until the March 4, 2013 meeting.

PUBLIC HEARING:

President McIlroy called the public hearing to order at 7:10 pm. He explained the proposed local law to consider the adoption of a local law to override the property tax cap for the coming fiscal year 2014. No one wished to comment on the local law therefore motion by Trustee Latremore and seconded by Trustee Vary to close the hearing at 7:12 p.m. Motion by Trustee Vary and seconded by Trustee Latremore to accept Local Law #1 of 2013 to adopt a budget for the fiscal year commencing June 1, 2013 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.. Motion carried unanimously.

NEW BUSINESS:

Motion by Trustee Latremore and seconded by Trustee Vary to formally approve CDBG Draw #10 which was approved via email poll on February 5, 2013, for Donald Hallenbeck and Panting Etc. \$11,610.00; Lead Safe, LLC \$1,625.00; Avalon Associates, Inc. \$7,593.06; and Hrabchak, Gebo and Langone \$60.00. Motion carried unanimously.

RESOLUTION 4 of 2013

RESOLUTION WITH REFERENCE TO AUTHORIZING A CONTRACT WITH AVALON ASSOCIATES, INC. FOR APPLICATION PREPARATION AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

WHEREAS, The Village of Carthage has completed the CDBG Administrative Services procurement process for the 2013-2015 application period; and

WHEREAS, such process included legal notice in the Carthage Tribune on 12-17-12 inviting prospective consultants to submit proposals to the Village regarding these administrative services; and

WHEREAS, notices were also sent to 7 prospective consultants inviting them to submit proposals; and

WHEREAS, the Village received one response from Avalon Associates Inc.; and

WHEREAS, staff has completed its review of this proposal and has recommended selection of Avalon Associates, Inc to provide these services.

BE IT RESOLVED as follows:

SECTION 1. Avalon Associates, Inc. is hereby selected to prepare an application for federal grant funding and provide administrative services required to complete all activities under the 2013 Community Development Block Grant (CDBG) Program.

SECTION 2. That the Village of Carthage President, or in his absence, the Vice-President is hereby authorized to make, execute, seal and deliver, any and all contracts, certifications, administrative documents, and agreements necessary to effectuate this action.

SECTION 3. That the within resolution shall take effect immediately.

Motion by Trustee Latremore and seconded by Trustee Vary the foregoing resolution number 4 of 2013 was duly adopted. Motion carried unanimously.

Motion by Trustee Vary and seconded by Trustee Latremore to approve the following budget adjustment and budget transfers:

Budget Adjustment

A.3120.0200 Police Equipment	\$31,065.50
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Adjust budget for police car which was budgeted in fiscal year 2012 and purchased in fiscal year 2013.

Budget Transfers

A.1990.0400 Contingencies Contractual Expenses	\$3,738.76
A.3120.0421 Police Insurance	(\$3,738.76)

Adjust Insurance to actual

A.5010.0432 Street Admin Contracts/Maint Agreements	\$18.76
A.5010.0421 Street Admin Insurance	(\$18.76)

Adjust Contracts/Maint Agreements to actual.

A.7110.0495 Village Green Park	\$500.00
A.1990.0400 Contingencies	(\$500.00)

Village Green expenses increased due to transfer to Village from CIDC.

Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary to adopt the revised Resolution 2 of 2013 as follows:

AUTHORIZING EXECUTION OF GRANT AGREEMENT, ISSUING SEQR DETERMINATION, AND COMMITMENT OF MATCHING FUNDS REGARDING CARTHAGE WASTEWATER ENGINEERING STUDY PROJECT PLANNING GRANT THROUGH THE NEW YORK CLEAN WATER STATE REVOLVING FUND (CWSRF) (PLANNING GRANT #19410)

WHEREAS, State Planning Grant #19410 in the amount of \$30,000 has been awarded to the Village of Carthage through the CWSRF to complete the Village of Carthage Wastewater Engineering Study for the Carthage/West Carthage Water Pollution Control Facility; and

WHEREAS, the Village of Carthage is the recipient of the grant funding and will act as the lead agent; and

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law, and

WHEREAS, such grant requires a minimum local match of 20% of the total engineering planning grant project costs, and

WHEREAS, the Carthage/West Carthage Water Pollution Control Facilities Management Board has authorized and appropriated a minimum of 20% local match of up to \$7,500 for the Village of Carthage Wastewater Engineering Study based upon a total estimated maximum project cost of \$37,500 and has also authorized the Chairman of the Board to increase this local match through the use of in kind services without further approval from the Board.

BE IT RESOLVED AS FOLLOWS:

1. That the Village of Carthage Village Board hereby determines that the proposed Village of Carthage Wastewater Engineering Study is a Type II action in accordance with 6 NYCRR Section 617.5 (c) subparagraphs (18) which constitutes that engineering studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action are Type II actions and are therefore not subject to review under 6 NYCRR Part 617.
2. That the Village of Carthage Village Board hereby authorizes and appropriates a minimum of 20% local match of up to \$7,500 to complete the Carthage Wastewater Engineering Study Project based upon a total estimated maximum project cost of \$37,500.
3. That the Village President may increase this local match through the use of in kind services without further approval from the Village of Carthage Board.
4. That the President, or in his absence, Deputy President, is hereby authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all documents, contract, funding disbursements, agreements and instruments necessary to bring about the Project and to fulfill the Village of Carthage's obligations under the Engineering Planning Grant Agreement.

The foregoing resolution was duly adopted. Motion carried unanimously.

The CEO Report was reviewed and Trustee Latremore asked why a building permit was in a former property owner's name. Attorney Gebo explained that he felt the property database was updated annually. President McIlroy stated he would ask Mr. Ball and get back to Trustee Latremore.

The Police Report was reviewed and there were no questions.

The Treasurers Report was reviewed and there were no questions. The General Fund cash balance is \$1,302,181.82 with Reserves of \$164,024.11; Water Fund cash balance is \$159,827.97 with Reserves of \$172,383.69 and the Sewer Fund cash balance is \$160,510.68 with Reserves of \$74,556.05 the Joint Fund cash balance is \$68,383.62 with Reserves of \$380,867.61.

Deputy President Astafan reviewed the monthly bills prior to the meeting.

Motion by Trustee Latremore and seconded by Trustee Vary to approve payment of payrolls and bills as follows: General Fund P/R 01/24/13, 01/31/13, 02/07/13, and 02/14/13 \$58,754.33; Water Fund P/R 01/24/13, 01/31/13, 02/07/13, and 02/14/13 \$8,628.71; Sewer Fund P/R

01/24/13, 01/31/13, 02/07/13, and 02/14/13 \$7,460.46; Joint Fund P/R 01/24/13 and 02/07/13 \$17,378.48. General Fund Abstracts \$192,945.13; Water Fund Abstracts \$115,875.51; Sewer Fund Abstracts \$41,076.00; and Joint Fund Abstracts \$0. Motion carried unanimously.

PRESIDENT McILROY UPDATE:

President McIlroy stated there will be a Joint Utility board meeting on February 20, 2013 at 4:15 p.m. at the Village of Carthage Municipal Building. President McIlroy looked into the dog complaint brought by Mr. Demers at the last meeting and feels that the complaint is unfounded. Chief Huber stated that he contacted the County Dog Control and Mr. Demers has yet to file a complaint with them.

ATTORNEY GEBO UPDATE:

Motion by Trustee Latremore and seconded by Trustee Vary to adopt Resolution 5 of 2013 as follows:

Authorize President McIlroy to sign a SCADA Services Agreement with the Development Authority of the North Country for Climax Effluent Monitoring Improvements as recommended by the Carthage/West Carthage Water Pollution Control Facilities Management Board.

Motion carried unanimously.

Attorney Gebo requested copy of the minutes which state the members of the Village Loan Committee. Attorney Gebo requested Executive Session to discuss collective bargaining; the employment history of two particular employees; and the CEO contract with the Town of Wilna.

LIAISON REPORTS AND COMMENTS:

None.

MEDIA QUESTIONS:

Ms. Avallone inquired about the location of the forest land owned by the Village; requested clarification of the resolution for CDBG Administrative Services provided by Avallon and Associates; and requested clarification regarding the revision to the resolution regarding the local match for the EFC grant.

EXECUTIVE SESSION:

Motion by Trustee Latremore and seconded by Trustee Vary to enter Executive Session at 7:35 p.m. to discuss collective bargaining; the employment history of two particular police department employees; and the CEO contract with the Town of Wilna. Motion carried unanimously.

Motion by Trustee Vary and seconded by Trustee Latremore to resume Regular Session at 8:53 p.m. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary to declare Cold Water Rescue Suits, which are currently on loan to the Village of West Carthage, surplus equipment. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary to gift the Cold Water Rescue Suits to the Village of West Carthage providing they are in favor of receiving this gift. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary, per the request of the Town of Wilna, to increase the Code Enforcement Officer contract with the Town of Wilna by \$125.00 per month and send them a letter requesting advance notice of future increases. Motion carried unanimously.

ADJOURNMENT:

Motion by Trustee Latremore and seconded by Trustee Vary to adjourn at 8:55 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy L. O'Shaughnessy
Village Clerk/Treasurer