

THESE MINUTES ARE NOT OFFICIAL MINUTES AND HAVE NOT YET BEEN APPROVED BY
THE VILLAGE OF CARTHAGE BOARD OF TRUSTEES

Regular Meeting of the Village of Carthage Board of Trustees
Held in the Board Room of the Carthage Municipal Building
November 21, 2016

ATTENDANCE:

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

Others: Edgar Countryman, DPW Superintendent; Reginald Huber, Police Chief; Mark Gebo, Village Attorney; Kathy Amyot, Tug Hill Commissions; Don Latremore; and Alma Price.

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 Trustee Latremore and seconded by Deputy President Astafan to approve the minutes of the November 7, 2016 regular meeting as presented. Motion carried unanimously.

CORRESPONDENCE:

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to deny the request from Lyndsey Hodkinson requesting a water/sewer credit 410 North Clinton Street as the water was processed through our sewer system due to the leak in the toilet. Motion carried unanimously.

President McIlroy read the correspondence received from the Carthage Area Chamber of Commerce thanking the Village for all of their assistance with the Holiday Parade.

Motion by Deputy President Astafan and seconded by Trustee Vary authorizing no objection to the renewal application for an on-premises alcoholic beverage license for Stefano's Pizzeria. Motion carried unanimously.

After considerable discussion, there was a motion by Trustee Vary and seconded by Deputy President Astafan to deny the request of Cindy Gebo, part-time Clerk, to be paid for holidays, as Ms. Gebo is not the only part-time employee at the Village and if this benefit is offered to her, it would need to be offered to all part-time employees which would be very costly to Village tax payers. Motion carried unanimously.

Trustee Latremore stated Village Code A150-28 Paid Holidays need to be revised to specifically exclude part-time employees which was the intent of the Village Board when the policy was revised. President McIlroy requested the Clerk/Treasurer to revise Village Code A150-28 Paid holidays to only include full-time employees.

PUBLIC FORUM:

Ms. Amyot stated that RACOG met last Tuesday and reviewed various board documents. Ms. Amyot also stated that the Village of Deferiet is set to join the Joint ZBA and all municipalities have signed the agreement with the exception of the Village of West Carthage. Ms. Amyot stated she will follow up with the Village of West Carthage regarding the agreement. Ms. Amyot distributed a notice regarding the NYS Department of State Government webinars which includes offered trainings, dates, and times.

PUBLIC HEARING:

President McIlroy called the public hearing to consider the adoption of a local law to amend Chapter 135 Section 135-60 of the Village of Carthage Code to allow two hour parking on State Street North/South from 9:00 a.m. to 5:00 p.m. except Sundays and holidays from New York State Bridge across the Black River to North and South James Streets to order at 6:10 p.m. President McIlroy asked if there was anyone from the public who wished to speak for or against the local law. Ms. Price asked if the local law only applied to State Street and President McIlroy stated it did. Ms. Priced asked why Church and North Mechanic Street were not included and the Clerk forwarded the petition submitted previously by Ms. Price to President McIlroy which only requested two hour parking limit for State Street. Ms. Price expressed that other businesses, not on State Street, would like the parking limit extended from one hour to two hours. Chief Huber expressed that he would prefer the parking limit change to two hours be limited to State Street. Mr. Countryman expressed that by changing the parking limit to two hours will interfere with snow removal and cars left for two hours will be packed in with snow. Mr. Countryman also stated that he contacted NYS Department of Transportation and they stated they will need to send an engineer up to review the parking on State Street and they will be responsible to change the signage from one hour parking to two hour parking. President McIlroy explained that the signage change will take time as it is a process the Village will need to rely on NYS Department of Transportation to complete. President McIlroy asked if there was anyone else who wished to speak for or against the local law. With no one else wishing to speak for or against the local law, there was a motion by Trustee Latremore and seconded by Trustee Vary to close the public hearing at 6:17 p.m.

Motion by Deputy President Astafan and seconded by Trustee Latremore to adopt Local Law #9 as follows:

A local law to amend Chapter 135 of the Village Code as the same relates to parking on State Street.

Article 1. - Statement of Authority. The Board of Trustees of the Village of Carthage, pursuant to the authority granted it under the Vehicle and Traffic Law, Article 9 of the Village Law and Sections 10 and 20 of the Municipal Home Rule Law hereby enact as follows:

Article 2. - Statement of Purpose and Findings. The Board of Trustees of the Village of Carthage hereby finds that the limitation of one (1) hour parking on certain areas of State Street in the Village of Carthage has caused problems for certain merchants. It is the purpose of this local law to expand parking on both sides of State Street in the Business from one (1) hour to two (2) hours.

Article 3. - Enactment. The Board of Trustees of the Village of Carthage hereby amends Section 135-60 of the Village of Carthage Code to change the designation from what is currently as follows:
State Street:

North & South Side:

<u>Time Limit</u>	<u>Location</u>
One hour parking, 8:00 a.m. to 5:00 p.m. Except Sundays and Holidays	From New York State Bridge across the Black River to North James Street and South James Street

To read as follows:

North & South Side:

<u>Time Limit</u>	<u>Location</u>
Two hour parking,	From New York State Bridge across

8:00 a.m. to 5:00 p.m. the Black River to North James
Except Sundays and Street and South James Street
Holidays

Article 4. Severability. If any part of this Chapter shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this Chapter.

Article 5. Effective Date. This local law shall take effect upon filing with the New York State Department of State.

Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Latremore to set a public hearing on December 19, 2016 at 6:10 p.m. to discuss changing the parking limit time from one hour to two hours on South School Street, Church Street, and North and South Mechanic Streets. Motion carried unanimously.

OLD BUSINESS:

At the July 18, 2016 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.

Update 08/15/16: Attorney Gebo is proceeding with collections.

Update 09/19/16: Attorney Gebo stated that he participated in a conference call with Springbrook representatives and the Clerk/Treasurer on September 9, 2016 and is hopeful that we will have a resolution in the near future.

Update 10/03/16: President McIlroy requested the Clerk/Treasurer to hold this over until the October 17, 2016 regular meeting when Attorney Gebo is present.

Update 10/17/16: Attorney Gebo stated he thinks Springbrook is waiting for confirmation from their legal department and he will follow up with them.

Update 11/7/16: The Clerk/Treasurer stated she received a phone call from Springbrook who stated the Village should receive a refund check within the next few weeks.

Update 11/21/16: Attorney Gebo expressed that he feels Springbrook is working through their administrative process in order to forward a check to the Village for amounts owed.

At the July 18, 2016 meeting, President McIlroy read the correspondence received regarding a dangerous tree at 602 Alexandria Street and stated he would follow up with the CEO.

Update 08/15/16: Attorney Gebo stated a violation notice has been sent to the property owner and no response has been received therefore Deputy President Astafan requested the Clerk/Treasurer to hold this over until the September 19, 2016 meeting.

Update 09/19/16: The CEO submitted correspondence stating the property owner is looking into removing the tree and he should have an update at the October 3, 2016 meeting.

Update 10/03/16: President McIlroy stated the CEO informed him that National Grid and Eager Beaver plan to remove the tree on Friday.

Update 10/17/16: President McIlroy asked the Clerk/Treasurer if she spoke with the CEO. The Clerk/Treasurer stated she spoke with the CEO and a portion of the tree has been removed by National Grid and the CEO left a message for the property owner requesting the status of the remaining portion of the tree.

Update 11/07/16: President McIlroy requested the Clerk/Treasurer to hold this over until Attorney Gebo is present at the November 21, 2016 meeting.

Update 11/21/16: President McIlroy expressed that it has been over a month since the CEO has heard from the property owner regarding the removal of the tree. President McIlroy asked Attorney Gebo

what the Board's options are and Attorney Gebo expressed they should have an Evidentiary Hearing to give the property owner a chance to voice his concerns. President McIlroy expressed he will get back to Attorney Gebo set a date and time for the hearing.

At the November 7, 2016 meeting, President McIlroy stated he spoke with the CEO regarding the highlighted changes he would like the Village to make in regard to the Village Code, Chapter 59. Campers, Travel Trailer, Motor Homes, and Recreational Vehicles. President McIlroy requested the Trustees to look it over and further requested the Clerk/Treasurer to hold this over until the November 21, 2016 meeting.

Update 11/21/16: Deputy President Astafan voiced his concerns regarding restricting a permit for campers, travel trailers, motor homes, and recreational vehicles to one per year. President McIlroy requested the Clerk/Treasurer to contact the CEO and request his presence at the next meeting so he can explain his concerns with the current Village Code and answer any of the Board's questions.

At the November 7, 2016 meeting, Trustee Latremore suggested the Village look into the land for sale which is adjacent to the DPW and President McIlroy stated he will look into it.

Update 11/21/16: President McIlroy contacted the realtor listing the property who stated it is three acres of mostly swamp land with a sale price of \$18,000.00 of which he feels is too much to pay. Trustee Latremore asked what the assessed value of the property is and suggested that the Village could offer the property owner that amount. Mr. Countryman stated the Village will need to be careful of the use of the property if purchased because it is considered wetlands. President McIlroy stated he will look into the assessed value and have it for the next meeting.

NEW BUSINESS:

Motion by Trustee Latremore and seconded by Deputy President Astafan to approve the request of the DPW Superintendent and declare the 1993 International Dump Truck, 2004 ODB LCT60C Leaf Collector, 2006 Tarco Highlander Junior Spreader (sander), and an eleven foot snowplow for a Dump Truck as surplus equipment and further authorize the DPW Superintendent to advertise the surplus equipment on Auctions International. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary to approve the request of the Police Chief to hire Todd O'Brien as a part-time police officer effective immediately with a pay rate of \$20.00 per hour. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary to permit the Clerk/Treasurer to attend the quarterly North Country Clerk/Treasurer meeting at Tailwater Lodge in Almar, NY on Friday, December 2, 2016 at 12:00 p.m. Motion carried unanimously.

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

Deputy President Astafan and Trustee Smith-Spencer reviewed the monthly bills and bank statements including reconciliations prior to the meeting and Deputy President Astafan stated he had a few questions of which the Clerk/Treasurer answered prior to the meeting. The documents were also available at the meeting.

Motion by Trustee Smith-Spencer and seconded by Deputy President Astafan to approve payment of payrolls and bills as follows: General Fund \$278,929.64; Special Grant Fund \$4,171.14; Water Fund \$79,430.28; and Sewer Fund \$90,620.61. Motion carried unanimously.

PRESIDENT MCILROY UPDATE:

President McIlroy asked the Clerk/Treasurer if all of the bills have been received for the demolition of 780 West End Avenue and she responded we are still waiting for the bill from GYMO. President McIlroy stated he received a message from Ms. Archer regarding tenant parking behind her father's apartment building. Ms. Archer stated there is not enough room for three tenants to park in their designated area. President McIlroy asked Attorney Gebo if the Village can issue her a parking permit for the Village parking lot and Attorney Gebo stated they could. Deputy President Astafan stated they may be able to shift some of the parking to allow more room for parking for the Schermerhorn building. President McIlroy stated he will look into it further and report back to the Board. President McIlroy wished everyone a Happy Thanksgiving.

ATTORNEY GEBO UPDATE: Attorney Gebo requested an Executive Session to discuss collective bargaining with the Police Department.

President McIlroy presented Trustee Latremore with a plaque and thanked her for her years of service to the Village. President McIlroy stated he is sorry to see Trustee Latremore retire and stated she will be greatly missed.

LIAISON REPORTS AND COMMENTS:

Trustee Latremore thanked the Board for their cooperation over the years and wished everyone a Happy Thanksgiving. Deputy President Astafan, Trustee Smith-Spencer and Trustee Vary wished everyone a Happy Thanksgiving and stated Trustee Latremore will be greatly missed.

MEDIA QUESTIONS:

None.

EXECUTIVE SESSION:

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to enter Executive Session at 6:45 p.m. to discuss collective bargaining with the Police Department and requested Chief Huber to attend. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary to resume Regular Session at 7:03 p.m.

ADJOURNMENT:

Motion by Trustee Latremore and seconded by Deputy President Astafan to adjourn at 7:03 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy O'Shaughnessy
Village Clerk/Treasurer