

Regular Meeting of the Village of Carthage Board of  
Trustees Held in the Board Room of the Carthage Municipal  
Building October 17, 2016

**ATTENDANCE:**

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

Others: Mark Gebo, Attorney; Reginald Huber, Chief of Police; Kathy Amyot, Tug Hill Commissions; Jim Zehr, Long Pond Snowmobile Club, and fifteen 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 Trustee Latremore and seconded by Trustee Vary to approve the minutes of the October 3, 2016 regular meeting as presented. Motion carried unanimously.

**PUBLIC FORUM:**

Mr. Zehr stated Long Pond Snowmobile Club is interested in renewing their agreement with the Village regarding the snowmobile trails on the watershed property. President McIlroy stated he is unaware of any issues with the snowmobile club utilizing the trails through the watershed. President McIlroy asked the Clerk/Treasurer if the agreement with the Long Pond Snowmobile Club is an annual agreement and the Clerk/Treasurer stated she will look into it and get back to Mr. Zehr.

Ms. Amyot expressed the Joint ZBA participated in a one hour question and answer session regarding zoning rules and regulations with Phil Street from Tug Hill Commissions. Ms Amyot further stated if approved by the Board, the session can be used as credit toward their four hour annual training requirement.

Motion by Trustee Latremore and seconded by Deputy President Astafan to approve the question and answer session provided by Mr. Street regarding zoning rules and regulations as a one hour credit toward the annual training requirement for Joint ZBA members. Motion carried unanimously.

Ms. Amyot stated there is a Super Cog meeting on October 27, 2016; the Tug Hill Commissions forty third annual dinner is at the Tailwater Lodge on November 10, 2016; and the next RACOG meeting is November 15, 2016.

**CORRESPONDENCE:**

Motion by Trustee Latremore and seconded by Trustee Vary to approve the request of Thad Kimple to use the Recreation Building on Tuesdays from 9:30 a.m. - 9:50 a.m. as a meeting location for the local Christian Congregation of Jehovah's Witnesses in Black River providing Mr. Kimple checks with the Clerk's Office on a weekly basis to ensure it does not conflict with other events to include the Summer Recreation Program. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary to approve the request of the Carthage YMCA to have the DPW eliminate the parking spot in the Village parking lot in front of the rear entrance to the Carthage YMCA. Motion carried unanimously.

**OLD BUSINESS:**

President Mcllroy 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 Mcllroy 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 Mcllroy 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.

Update 08/15/16: Deputy President Astafan requested the Clerk/Treasurer to hold this over until the September 19, 2016 meeting.

Update 09/19/16: President Mcllroy requested Trustee Smith-Spencer to have something for the Board to review regarding the policy regarding hardhat use at the DPW and Water Department.

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

Update 10/17/16: President Mcllroy stated the Clerk/Treasurer corrected the spelling and grammatical errors in the current policy, incorporated Deputy President Astafan and the DPW Superintendents suggestions into the current DPW Safety Policy for Employees. Trustee Latremore thanked everyone involved with revising the policy.

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer adopt the Village of Carthage DPW Safety Policy for Employees as amended for use by the DPW and the Water Department. Motion carried unanimously.

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 Mcllroy 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.

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 Mcllroy 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 Mcllroy 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 Mcllroy stated he will look into the issue.

Update 08/15/16: The Board declared the removal of the property an emergency and authorized Independent Commercial Contractors (ICC) and GYMO PC to remove the building.

Update 09/19/16: President McIlroy stated he anticipates the building being removed in the near future.

Update 10/03/16: President McIlroy stated ICC has been waiting for National Grid to disconnect the gas service to the building for over a month. President McIlroy stated the CEO is calling National Grid and expressing the removal of the gas service is an emergency. President McIlroy anticipates the building being removed soon.

Update 10/17/16: President McIlroy stated the building has been removed and the property cleaned. President McIlroy stated the property looks much better and it you can see farther on the roadway now.

At the July 18, 2016 meeting, Ms. Price stated she received a parking ticket in front of Sew What on State Street due to 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.

Update 08/15/16: Ms. Price stated she was able to get local business owners to sign her petition requesting to change the parking limit on State Street from one hour to two hours. Ms. Price asked why there are two 15 minute parking signs in front of Condino Motors and what the limits are for handicap parking according to the ADA. Deputy President Astafan stated he will look into it. Deputy President Astafan accepted the petition and expressed he will forward it to President McIlroy. Ms Turner stated she would like a handicap parking spot in front of her business. Ms. Lelakowski stated she is in favor of the two hour limit and expressed sometimes it is difficult to comply during busy times at the diner and other area restaurants. Deputy President Astafan stated the Board will look into increasing the parking limit on State Street therefore he requested the Clerk/Treasurer to hold this over until September 19, 2016.

Update 09/19/16: President McIlroy read the memo submitted by Chief Huber and stated there are some businesses against changing the parking limit from one hour to two hours. President McIlroy also cited the history behind the fifteen minute parking limit in front of Condino Motors and further stated that was once a no parking zone. President McIlroy asked each Trustee their opinion regarding the parking limits on State Street. After considerable discussion, President McIlroy requested the Clerk/Treasurer to hold this over until the October 3, 2016 meeting.

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

Update 10/17/16: Deputy President Astafan stated he does not have a problem with changing the parking limit on State Street from one hour to two hour. Deputy President Astafan further stated the downtown area has changed over the years and a two hour parking limit may be beneficial to businesses. President McIlroy stated he spoke with a few businesses who are in favor of the one hour parking limit.

After considerable discussion, there was a motion by Trustee Latremore and seconded by Trustee Vary to set a public hearing on November 21, 2016 at 6:10 p.m. to discuss changing the one hour parking limit on State Street from one hour parking to two hour parking. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary to deny the request of Tammy Barnhardt to place a handicap parking space in front of her business on State Street citing other hair salons have been denied in the past and further the Village currently has adequate handicap parking. Motion carried with Deputy President Astafan abstaining.

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 Mclroy stated the CEO informed him that National Grid and Eager Beaver plan to remove the tree on Friday.

Update 10/17/16: President Mclroy 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.

At the August 15 meeting Michael Trieu, KC Nails & Spa owner, expressed his discontent about the Joint ZBA denying a variance for the sign on the side of his building.

Update 09/19/16: President Mclroy stated the CEO spoke with Mr. Trieu and he is having a decorative sign made for the side of his building and will remove the current sign when it is complete.

Update 10/03/16: President Mclroy state the CEO anticipates the sign being changed within the next couple of weeks.

Update 10/17/16: President Mclroy stated the sign has been replaced to comply with the Village code.

#### NEW BUSINESS:

Motion by Deputy President Astafan and seconded by Trustee Latremore to adopt Resolution 6 of 2016 as follows:

#### RESOLUTION WITH REFERENCE TO SUPPORT OF THE CARTHAGE VILLAGE COURT FACILITY UTILIZING A JCAP GRANT TO PURCHASE OFFICE EQUIPMENT

WHEREAS, the Village of Carthage and the Town of Wilna share a Justice Court Facility at the Village Municipal Building, and

WHEREAS, Village Justice Shettleton desires to apply for a JCAP grant to purchase office equipment for the Joint Court Facility, and

WHEREAS, it is necessary for the Village of Carthage to approve such purchases for its Justice Court facility,

NOW THEREFORE BE IT RESOLVED, that the Village Board of the Village of Carthage does hereby approve the JCAP grant application to purchase office equipment for the Joint Court Facility Building to service the Justice Court Facility provided that the cost of same is covered by the JCAP grant obtained by Village Justice Shettleton.

The foregoing resolution was duly adopted unanimously.

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

A.5010.0422	Street Admin Travel and	2,000.00	2,000.00
A.5010.0441	Training Street Adm in Utilities		
A.7140.0443	Park Cleaning Supplies	500.00	
A.7140.0462	Park Equipment		500.00
Rental			

Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer to accept the monthly departmental reports from CEO, Community Development, Court, DPW, Police Department, Water Department, and Treasurer as presented. Motion carried unanimously.

President Mclroy stated he noticed in Chief Huber's report that Officer Higman is leaving the police department. Chief Huber stated his last day of employment will be October 27, 2016 and Officer Higman would like to remain a part-time police officer.

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.

Motion by Trustee Smith-Spencer and seconded by Trustee Latremore to approve payment of payrolls and bills as follows: General Fund \$203,982.50; Special Grant Fund \$8,203.06; Water Fund \$17,372.21; and Sewer Fund \$9,323.09. Motion carried unanimously.

#### ATTORNEY GEBO UPDATE:

Attorney Gebo requested an Executive Session to discuss a collective bargaining issue with the Police Department and a potential litigation.

#### PRESIDENT MCILROY UPDATE:

President McIlroy stated there will be a Joint Utility Board meeting on October 19, 2016 at 4:00 p.m. at the Carthage Municipal Building; a CIDC meeting on October 25, 2016 at 4:00 a.m.; Chamber of Commerce annual awards dinner is October 26, 2016 at 5:30 p.m.; and a Super Cog meeting on October 27, 2016.

#### LIAISON REPORTS AND COMMENTS:

Deputy President Astafan stated he coordinated a meeting with Scott Burto and Charles Prior and President McIlroy on Wednesday, October 19, 2016 at 3:15 p.m. prior to the Joint Utility Board meeting.

#### MEDIA QUESTIONS:

None.

#### EXECUTIVE SESSION:

Motion by Trustee Smith-Spencer and seconded by Trustee Latremore to enter Executive Session at 6:32 p.m. to discuss collective bargaining for the Police Department and a potential litigation to include Attorney Gebo and Chief Huber. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary to resume Regular Session at 7:10 p.m. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary to adjourn the arbitration with the NYS Teamsters regarding the police department and further support a concept of a Attorney Gebo proceeding with a Memorandum of Understanding with the NYS Teamster regarding the police department to attempt to settle the contract. Motion carried with Trustee Smith-Spencer opposed.

#### ADJOURNMENT:

Motion by Trustee Latremore and seconded by Deputy President Astafan to adjourn at 7:11 p.m. Motion carried unanimously.

Respectfully Submitted

Kristy O'Shaughnessy