

1 Regular meeting of the Village of Carthage Board of Trustees  
Held in the Board Room of the Carthage Municipal Building  
September 21, 2009

Present: President, G. Wayne McIlroy, Trustees, Michael Astafan, Rebecca Vary, and Kathleen Latremore

Also, Village Attorney Mark Gebo

Guests: CRT and WDT Reporter, Kara Clark; business owner Stefano Magro; residents, Lonn Covey, Tony Lewis, Sean McHale, Ron Spencer, Linda Smith-Spencer and 23 Participation in Government Student.

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

Motion by Kathleen Latremore and Seconded by Rebecca Vary to approve the minutes of the September 8, 2009 meeting as presented by the Clerk. Motion carried unanimously.

**PUBLIC FORUM:**

Village resident Lonn Covey had some additional questions for the Village Board regarding his Alexandria Street property that he would like to be annexed out of the Village. President McIlroy explained that Mr. Covey was sent a sample annexation petition and a letter that explained to him that based on the Village Attorney Mark Gebo's recommendations he should hire his own attorney for the annexation process. Village Attorney Mark Gebo explained that he can not represent both sides in this annexation process and was not comfortable with discussing both sides.

Village resident and property owner on Alexandria Street, Tony Lewis explained that he was in full support of his property being annexed out of the Village. Mr. Lewis explained to the Board about his unhappiness of not having street lights out in front of his vacant residential lot when he pays Village taxes.

Village resident Sean McHale asked the Village Board if someone has been chosen to fill Trustee Bernard Frezza vacant position and hoped that many people were considered for the position. President McIlroy stated that six names were discussed and a person has been selected. President McIlroy further explained that the appointed person's term would be until December 1, 2009 and whoever was elected in this November's election would carry out the rest of Trustee Frezza's term until December 1, 2010.

**PUBLIC HEARING:**

Proof of notice having been provided, the public hearing to amend section 31-4 of the Village Code, that would allow the service of alcoholic beverages in fenced in areas of café style portions of restaurants, was called to order at 7:17 P.M.

President McIlroy explained the proposed amendment to the law and opened the hearing to the public for comment. Stefano Magro owner of Stefano's Pizzeria and Restaurant stated that he was in favor of this amendment to section 31-4.

All persons desiring to be heard, having been heard, the public hearing was closed at 7:21 P.M.

Motion by Rebecca Vary and Seconded by Michael Astafan to adopt the amendment to Section 31-4 that would allow the service of alcoholic beverages in fenced in areas of café style restaurants. Motion carried unanimously.

#### CORRESPONDENCE:

President McIlroy read the letter from Community Action Planning Council of Jefferson County, which stated they provided 2,930 lunches and 3,063 snacks for children who attended the seven week summer recreation program in the Village of Carthage.

Motion by Michael Astafan and Seconded by Kathleen Latremore to approve the request of the Carthage Central School Student Government to hold a Homecoming Parade on September 28, 2009 starting at 6:00 P.M. Motion carried unanimously.

Motion by Michael Astafan and Seconded by Rebecca Vary to approve the request from Susan Hodge, Crop Walk Coordinator for the Village Ecumenical Ministries to hold the annual Crop Walk on Sunday October 18, 2009 at 2:00 P.M. Motion carried unanimously.

Motion by Michael Astafan and Seconded by Kathleen Latremore to approve the request from Bruce Hazen, Treasurer for the Carthage Lions Club for a "Walk for Diabetes" on Saturday, October 24 at 10:00 A.M. Motion carried unanimously.

#### OLD BUSINESS:

Donald Campany's previous request of having water and sewer hookup on three parcels of land that he owns on Norris Avenue was discussed and the Village of Carthage Board and Town of Wilna Board have made a joint decision. The Village Attorney Mark Gebo will prepare two contracts that would need to be signed by Mr. Campany. One contract would be with the Village of Carthage for sewer hookup and the other contract would be with the Town of Wilna for water hookup. President McIlroy asked the Clerk to write a letter to Mr. Campany explaining the potential agreement due to Mr. Campany being absent from the meeting.

#### NEW BUSINESS:

Motion by Kathleen Latremore and Seconded by Rebecca Vary to approve Linda Smith-Spencer as the appointed Trustee to fill the vacancy from Trustee Bernard Frezza resignation. Motion carried unanimously.

The proposed sewer contract with Whispering Woods Apartments has been tabled until the Village Attorney; Mark Gebo receives correspondence from the new owner of the apartment building regarding a security deposit that was paid by the original owner Mr. Harris to the Village of Carthage.

Motion by Kathleen Latremore and Seconded by Michael Astafan to approve payment to Clough Harbor and Associates for engineering services for the Longfalls park project in the amount of \$1,000.00. Motion carried unanimously.

Motion by Michael Astafan and Seconded by Kathleen Latremore to authorize Resolution Number Sixteen, 2009 that states the Village as the lead agency, hereby issues a SEQR Negative Declaration of this unlisted action of the Carthage Comprehensive Plan. Motion carried unanimously.

Motion by Rebecca Vary, Seconded by Michael Astafan to set the October 31, 2009 Halloween Trick or Treat hours in the Village of Carthage from 6PM to 8PM. Motion carried unanimously.

Motion by Kathleen Latremore, Seconded by Rebecca Vary to approve payment of payrolls and abstracts as follows: General Fund P/R #A19, 20, 21, 22, & 23 \$48,323.50; Water Fund, #F19, 20, 21, 22 & 23 \$4,072.34; Sewer Fund, #G19, 20, 21 & 22 \$2,257.22; and Joint Fund, #J8, 8A & 23 \$9,646.27; General Fund Abstracts, \$20,86.72 Water Fund Abstracts, \$3,989.84; Sewer Fund Abstracts, \$479.11; Joint Fund Abstracts, \$69,925.38. Motion carried unanimously.

**ATTORNEY GEBO:**

Attorney Gebo explained that he would need an Executive Session due to a litigation matter where public discussion could affect the acquisition of the property.

**PRESIDENT MCILROY'S UPDATE:**

President McIlroy explained to members of the board and the media that he wanted to thank Ernie Prievo, Water Superintendent for the Village of Carthage, for bringing to his attention that some of the paths leading off the marked Village trails extend onto private property. In order to lessen the confusion of the trails, Mr. Prievo installed signs that indicate when the trail leads onto private property and it would be trespassing to be on private property. President McIlroy requested the Clerk to contact New York State to get the debris cleared off the Carthage Dam. President McIlroy further explained that the dam is located between Carthage and West Carthage and believed that Kempney's Excavating was hired in the past by New York State to clean up the debris. A Planning Board meeting is scheduled for Tuesday September 22, 2009 at 7:00P.M.

**LIAISON REPORTS AND COMMENTS:**

Trustee Kathleen Latremore welcomed the newly appointed Trustee Linda Smith-Spencer and thanked her for serving the community.

**MEDIA QUESTIONS:**

**EXECUTIVE SESSION:**

Motion by Kathleen Latremore, Seconded by Rebecca Vary to enter Executive Session at 7:50p.m. for Attorney Gebo's two litigation matters and one property acquisition.

Regular session resumed at 8:25P.M.

**ADJOURNMENT:**

Motion carried to adjourn at 8:27P.M.

**Sherry L. Sears, Village Clerk**