

Regular meeting of the Village of Carthage Board of Trustees
Held in the Carthage Municipal Building Board Room
June 18, 2007 – 7P.M.

Present: President G. Wayne McIlroy, Trustees Michael Astafan, Rebecca Vary, Kathleen Latremore, and Bernard Frezza. Also Attorney Mark Gebo.

Guests: Residents; Barbara Harris, Tim Mulvaney, Don Foster, Mr. & Mrs. Ron Swartout, and Lani Yearicks, Jeremiah Papineau, CRT; Robert Brauchle, WDT.

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

Motion by Rebecca Vary and Seconded by Bernard Frezza to approve the minutes of the June 4, 2007 meeting as presented by the Clerk. Motion carried unanimously.

PUBLIC FORUM:

Mr. Ronald Swartout, resident of 231 Church Street, Carthage, presented members with a petition signed by 24 residents of Church Street, North School Street and Brown Street, requesting that a change in "No Parking" signage on Church Street. Mr. Swartout stated that both sides of Church Street are no parking and residents would like to see that changed to allow parking on the east side of the street with the west side being left as is. President McIlroy accepted the petition and said that he would get input from the Police Chief and DPW Superintendent on this issue.

Mr. Swartout also asked what is being done about the brick building on the corner of Church and Furnace Street. President McIlroy explained that the last he knew a summons was being issued to the owners. Liaison for Code Enforcement, Kathy Latremore, agreed with President McIlroy's understanding.

CORRESPONDENCE:

A letter and request for a resolution from James N. Tedisco, Assembly Minority Leader, regarding the New York State Property Taxpayer Protection Act that he and his colleagues recently introduced was presented by President McIlroy. The Trustees declined to discuss the resolution.

A letter from Lani Yearicks, Church Street, requested permission of the Village Board for a 5K run on Friday, July 13, 2007 beginning at 8:00P.M. Ms. Yearicks was in attendance and advised the Board that the race would begin and end at Carthage Park with the route starting at the Park and continuing down Route 3. President McIlroy explained that while he has no problem with the race, he has a problem with the time it begins. His concern is for safety of the runners. Ms. Yearicks said runners will wear glow necklaces and officials along the route will have reflective vests on. Trustee Astafan asked the approximate number of runners which was 50 to 100. Trustee Frezza felt safety issues had been addressed and appear under control.

Motion by Bernard Frezza to allow the race did not received a second.

Motion by Michael Astafan and Seconded by Kathleen Latremore to approve the 5K run only if the 8PM start time is changed to 7PM. as recommended by President McIlroy. Motion carried unanimously.

PUBLIC HEARINGS:

Proof of Notice having been furnished the public hearing on proposed Local Law #3 of 2007 was called to order at 7:15P.M. by President McIlroy. The proposed Local law calls for establishing a handicap parking space in the Village Parking Lot in the 100 block of North Mechanic Street.

Business owner, Barb Harris, informed the Board that some of her customers are older women who can't walk more than a short walk; some are picked up out front of her business. She feels a handicap parking space should be added to the front of her business for her customers and other handicapped people; not the distance from her business to the Municipal Parking Lot.

President McIlroy explained that Police Chief Rockhill did a review of the existing handicap parking spaces and has noted that some are not being used; others have been denied and it is uncertain how many spaces are need within the Village. Another concern is with the snow banks in the winter. He therefore recommended a space in the Municipal Parking Lot. President McIlroy stated that the space would be one hour parking to which Mrs. Harris responded that the sign by the Superior restaurant doesn't state that its one hour only. President McIlroy responded that all downtown parking is one hour.

All persons desiring to be heard, having been heard, the Public Hearing was closed at 7:23P.M.

Members discussed their views with Trustee Frezza stating that he thought the Board's recommendation at the last meeting was to have the Planning Board review and make a recommendation on Handicap Parking spaces. This was a surprise to him.

President McIlroy explained that the recommendation was to pass information on to the Planning Board but the Board also decided to act on this request.

Trustee Latremore feels that Mrs. Harris's request is a good idea and feels that she did her job to gather information as to why it's a good idea.

Trustee Astafan disagreed stating that the ideal spot would be where Mrs. Harris's has her ramp, but he is concerned over the slope in that area.

Trustee Vary agrees with Trustee Astafan and is concerned over someone slipping and falling on the slope. In the parking lot a person could take their leisure time getting out of the lot; it's a safer place.

Trustee Frezza believes that an on street space would need much work done such as ramping at the curb.

Motion by Rebecca Vary and Seconded by Michael Astafan to adopt Local law #3 of 2007, designation of a one hour handicap parking space in the Municipal Parking Lot on North Mechanic Street with the understanding that once the Planning Board makes their recommendation if its different from this law the law can once again be reviewed. Motion carried unanimously.

Proof of Notice having been furnished the proposed Local Law on banning of Outdoor furnaces was called to order at 7:30P.M. by President McIlroy.

Resident Don Foster noted that the Board has this law right; the Planning Board was right; and he thanks and applauds the Board for their actions in declaring the BAN on Outdoor Furnaces within the Village.

Resident Tim Mulvaney – an owner of an outdoor furnace noted that he doesn't like the word BAN and would have liked to see the Board RESTRICT the furnaces. He has never had a complaint brought to his attention on his furnace; he only operates it in the winter and doesn't believe he has ever had smoke go into anyone's house. Mr. Mulvaney said he can live with the law.

All persons desiring to be heard, having been heard, the public hearing was closed at 7:35P.M.

Motion by Rebecca Vary and Seconded by Michael Astafan to adopt Local Law #4 of 2007, a law stating that outdoor furnaces are hereby banned with the Village of Carthage and shall not be permitted in any district. Such furnaces existing as of the effective date of this local law shall be allowed to continue, but may not be replaced. Motion carried unanimously.

Proof of Notice having been furnished the proposed Local Law on removal of the 15 minute parking spaces and signs on Brown Street was called to order at 7:36P.M. by President McIlroy who explained that residents of Brown Street have asked that the 15 minute parking spaces once needed when the Town of Wilna Offices were on Brown Street, be eliminated.

There was no one present who wished to address the Board on this Local Law.

All persons desiring to be heard, having been heard, the public hearing was closed at 7:38P.M.

Motion by Bernard Frezza and Seconded by Michael Astafan to adopt Local Law #5 of 2007, a law amending Chapter 135-60 of the Village of Carthage Code to delete the three 15 minute parking spaces and signs on Brown Street. Motion carried unanimously.

CORRESPONDENCE cont'd.

Motion by Michael Astafan and Seconded by Rebecca Vary to approve the request of Tammy Trowbridge, Associate Director, Carthage Area Chamber of Commerce, to hold their annual fireworks celebration on Saturday, July 14, 2007 at dusk. Vendors will also be allowed to use Turning Point Park beginning at 5PM. Motion carried unanimously.

Motion by Kathleen Latremore and Seconded by Bernard Frezza to accept the resignation of Planning Board member Ernest Scribner, effective July 31, 2007 with regrets. Motion carried unanimously.

OLD BUSINESS:

NEW BUSINESS:

Motion by Rebecca Vary and Seconded by Bernard Frezza to authorize Trustee Rebecca Vary to proceed with the Request for Proposals on the Long Fall Park Project Phase II – Architectural Services. Motion carried unanimously.

Motion by Michael Astafan and Seconded by Rebecca Vary to approve the Agreement for Services between the Wilna-Champion Transportation Association, Inc. and the Village of Carthage for bus services to the people of the Village of Carthage in the amount of \$5,000. Motion carried unanimously.

President McIlroy presented the following resolution to members for their discussion and approvals.

Motion by Michael Astafan, Seconded by Kathleen Latremore and carried unanimously;
WHEREAS, the Carthage Industrial Development Corporation is pursuing the development of expanded public parking adjacent to the Municipal parking lot at 120 North Mechanic Street through demolition of the apartment building at the site and construction of parking facilities;
WHEREAS, this action requires a State Environmental Quality Review (SEQR) and is considered unlisted according to 6NYCRR Part 617; and
WHEREAS, this Village Board intends to conduct an uncoordinated review of this unlisted actions; and
WHEREAS, an environmental assessment has been prepared, which is on file at the Carthage Village Clerk's Office, 120 South Mechanic Street; and
WHEREAS, the assessment supports the fact that there are not likely to be significant environmental impacts associated with the project and supports the issuance of a negative declaration.

BE IT RESOLVED, as follows:

SECTION 1. That this Board hereby issues a SEQR Negative Declaration for this unlisted action.

SECTION 2. That the Village Clerk is hereby authorized to provide notice of this SEQR determination in accordance with law.

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

Motion by Rebecca Vary and Seconded by Bernard Frezza to approve payment of Payrolls #A2 & 3, \$23,661.72; #F2 & 3, \$3,246.56; #G2 & 3, \$1,338.32 and #J1,\$8,163.84; Abstracts #A1, \$; #F1, \$; #G1, \$; #J1, \$. Motion carried unanimously.

ATTORNEY GEBO'S UPDATE:

Attorney Gebo presented members with an Agreement they requested on the rental of office space to the Chamber of Commerce. President McIlroy read the Agreement and Trustee Astafan noted that he and President McIlroy had met with the Chamber and felt it would be a great opportunity for both parties to have the Chamber office in our facilities. There will be more visibility for the Chamber also.

Motion by Michael Astafan and Seconded by Bernard Frezza that the Village enter into an Agreement with the Carthage Area Chamber of Commerce to lease a certain room in the former Fire Department portion of the Carthage Municipal Building for the purposes of operating the Chambers offices. Motion carried unanimously.

Attorney Gebo presented members with a proposal on background checks for review for our next meeting.

PRESIDENT MCILROY'S UPDATE:

President McIlroy presented members with upcoming meeting dates.

LIAISON REPORTS:

Trustee Astafan advised members that he has a recommendation for summer help from Water Superintendent Ernie Prievo. Further there has been a recommendation on the tree sales from our Forest Management Firm.

Motion by Michael Astafan and Seconded by Rebecca Vary to approve the recommendation of Ernie Prievo to hire Greg Peebles as a water department summer employee at \$7.15 per hour. Motion carried unanimously.

Motion by Michael Astafan and Seconded by Kathleen Latremore that based on their failure to meet the document agreements whereby a \$22,000 payment was due by May 25th, the Board hereby rescinds its motion to approve the sale of trees to the highest bidder, Great Lakes. Motion carried unanimously.

Motion by Michael Astafan and Seconded by Kathleen Latremore to award the tree sales to the next highest bidder, M. J. Lyndaker Logging, in the amount of \$70,200.00. Motion carried unanimously.

Trustee Astafan also has a litigation matter for executive session.

Trustee Frezza informed the Board that the new picnic tables and benches are in; the trails have been cleared of brush and trees and markers are being made. Grinders began selling from the concession stand today. Also there was a meeting with the little league today and softball teams. Discussion is being held on the possible elimination of the baseball field and using it for other events. Discussion followed also on signs for the Field of Dreams; the Pee Wee League will attend a meeting to discuss this with the Board. Attorney Gebo will provide some direction for the Board on this also. President McIlroy said his concern with the signs is that after three or four years the signs become damaged by the weather and therefore do not look good. Trustee Frezza said the

signs would be removed and stored yearly. An electric score board was also discussed as well as portable bleachers. The Board recommended that Trustee Frezza present his recommendation on the several issues.

Trustee Frezza has a personnel issue for executive session.

Trustee Latremore informed members that she will be attending the RACOG meeting in place of Trustee Vary tomorrow night.

EXECUTIVE SESSION:

Motion by Kathleen Latremore and Seconded by Bernard Frezza to enter Executive Session at 8:07P.M. for the purpose of discussing personnel issues; contractual matter and possible litigation. Motion carried unanimously.

Regular session resumed at 9:15P.M.

Motion by Rebecca Vary and Seconded by Michael Astafan to hire Spicer Electric to install an outlet for using a back-up generator when the power goes out in the Village Municipal Building at a cost of \$6,435.00. Motion carried unanimously.

Motion by Bernard Frezza and Seconded by Michael Astafan to approve a raise in salary for Deputy Clerk, Wendy Oliver from \$414.00 a week to \$460.00 a week due to a satisfactory six month probationary period effective the week beginning July 8, 2007. Motion carried 3 – 2.

Motion by Bernard Frezza and Seconded by Michael Astafan to authorize Recreation Director Scott Benson to hire a new summer employee to replace one that is taking a job elsewhere. Motion carried unanimously.

Motion by Michael Astafan and Seconded by Kathleen Latremore to terminate the services of Police Officer Brennan Ordway due to the unsuccessful satisfactory completion of his probationary period as recommended by the Chief of Police. Motion carried unanimously.

ADJOURNMENT:

Motion carried to adjourn at 9:20 P.M.

Linda M. Weir, Village Clerk