

Regular meeting of the Village of Carthage Board of Trustees  
Held in the Carthage Municipal Building Board Room  
September 17, 2007 – 7P.M.

Present: President G. Wayne McIlroy, Trustees Michael Astafan, Rebecca Vary, and Kathleen Latremore.  
Absent: Trustee Bernard Frezza; excused due to his work schedule.

Guests: Church Street resident, Agnes King, Businessman, Pete Crump; Property owner, Larry Walsemann; and 24 members of the Participation in Government Class.

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 Kathleen Latremore to approve the minutes of the September 4, 2007 meeting as presented by the Clerk. Motion carried unanimously.

**PUBLIC FORUM:**

Mrs. King attended the meeting to ask members if they had made a decision about parking in front of her home on Church Street. She is suggesting that the Board rescind the current law to allow parking on Church Street from Brown to School Street.

President McIlroy explained to Mrs. King that the Board would be discussing her request tonight and added that if the Board were to grant parking in front of her home it wouldn't mean that Brown Street residents couldn't park there; anyone would be able to use those spaces. Mrs. King realized that. Also, President McIlroy feels that only one space could be designated parking due to safety concerns. There are DPW concerns over winter months and plowing; the flow of traffic needs to be considered.

Trustee Astafan said he believes there is a problem with how the Board can make this work; a designated parking space would actually be in the roadway itself. President McIlroy stated that perhaps what we need to do is ask the State Department of Transportation to look at the area and give their recommendation. The Board concurred and President McIlroy will set up a meeting with the DOT.

**PUBLIC HEARING:**

Proof of notice having been furnished, the public hearing on proposed Local Law #8 of 2007 was called to order at 7:15P.M. by President McIlroy, who read the law aloud and opened the hearing to public comment.

Peter Crump asked when the law calls for a calendar year is that January to December to which President McIlroy responded yes.

One of the Participation in Government Students (PIGS) asked what the purpose of the law is. President McIlroy explained the Villages current law and the reason for administrative fees.

Peter Crump asked if this includes all properties and President McIlroy said yes, within the Village limits.

Larry Walsemann asked if he correctly understands section 45-1 of the Village law which states "these provisions shall not apply to areas that historically have not been mowed for at least two years prior to the enactment of this section." Since the law 45-1 was adopted June 20, 2005, a property that has not been mowed since prior to June 20, 2003 would not apply to this law. Attorney Gebo responded yes, that's correct.

A PIGS member asked what happens if the person doesn't have enough money to own a mower. President McIlroy felt that if a person owns property he would probably have enough money for a lawn mower.

All persons desiring to be heard, having been heard, the public hearing was closed at 7:22P.M.

Motion by Rebecca Vary and Seconded by Kathleen Latremore to adopt Local Law #8 of 2007, a law adopting an administrative fee schedule for the enforcement of brush, grass and weed restrictions in the Village, as prepared by Attorney Gebo. Motion carried unanimously.

Proof of notice having been furnished, the public hearing on proposed Local Law #9 of 2007 was called to order at 7:23P.M. by President McIlroy who read the law aloud and opened the hearing to public comment.

Peter Crump asked what the penalties would be for not removing snow? Attorney Gebo explained that Article 5 of the Village law dictates the fines.

All persons desiring to be heard, having been heard, the public hearing was closed at 7:25P.M.

Motion by Kathleen Latremore and Seconded by Michael Astafan to adopt Local Law #9 of 2007, a law adopting an administrative fee schedule for the enforcement of snow removal restrictions in the Village, as prepared by Attorney Gebo. Motion carried unanimously.

Proof of notice having been furnished, the public hearing on proposed Local Law #10 of 2007 was called to order at 7:26P.M. by President McIlroy who explained the amended zoning law and opened the hearing to public comment.

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

All persons desiring to be heard, having been heard, the public hearing was closed at 7:26P.M.

Motion by Rebecca Vary and Seconded by Michael Astafan that the Village Board act as the lead agency on this zoning law amendment and issue a SEQRA Negative Declaration for this unlisted action. Motion carried unanimously.

Motion by Rebecca Vary and Seconded by Michael Astafan to adopt Local law #10 of 2007, a law clarifying the restrictions regarding residential units in a building which may also have commercial areas, as prepared by Attorney Gebo. Motion carried unanimously.

#### CORRESPONDENCE:

#### OLD BUSINESS:

Motion by Kathleen Latremore and Seconded by Michael Astafan to table discussion on the Planning Board recommendation for two new members for the Planning Board pending review by the Village Board in Executive Session.

#### NEW BUSINESS:

Motion by Kathleen Latremore and Seconded by Rebecca Vary and carried that John McHugh and Sean McHale be appointed to the Waterfront recreation committee. Motion carried unanimously.

Motion by Kathleen Latremore and Seconded by Rebecca Vary to approve payment of Payrolls #A18 & 19 \$19,297.88; #F18 & 19 \$3,843.60; #G18 & 19, \$1,465.96 and #J8, \$8,503.00 and Abstracts #A4, \$88,954.31; #F4, \$2,502.30; #G4, \$984.64; and #J4, \$64,258.92. Motion carried unanimously.

#### ATTORNEY GEBO UPDATE:

Attorney Gebo has a collective bargaining item and Code Enforcement issue for Executive Session.

Discussion was also held on the trailer law that was cancelled from tonight's agenda due to comments by the Chief of Police. Attorney Gebo believes the structure of the changes the Chief is requesting raises some concerns. Trustee Astafan said he believes we simply need something to protect the neighborhood. Attorney Gebo suggested that the law be built in some way for the Police Department to move a vehicle if thought to be unsafe. Trustee Astafan said he doesn't feel the law should be so restrictive as to stop people from visiting their friends and relatives, but rather stop people from using a Village Street as private property. President McIlroy suggested that one possibility would be to give the police the right to ask a person to correct the problem or remove the trailer. Attorney Gebo will prepare another law for the Board's review.

#### PRESIDENT MCILROY'S UPDATE:

President McIlroy reminded members of upcoming RACOG and Utility Board meetings and informed members that Justice Shettleton has asked that the Board to pass a resolution providing that she can apply for a grant for the Court room.

Motion by Kathleen Latremore and Seconded by Michael Astafan to authorize Justice Lucille Shettleton to apply for a JCAP grant on behalf of the Village of Carthage. Motion carried 4 – 1 with Trustee Vary abstaining.

#### LIAISON REPORTS:

Trustee Vary asked members to allow her daughter, who was unable to be here at the beginning of the meeting due to a prior comment, discuss with members an upcoming homecoming event. Rachael Vary presented members with a letter of request.

Motion by Michael Astafan and Seconded by Kathleen Latremore to approve the request of Rachael Vary, Student Government President, to hold a homecoming parade on September 27, 2007 beginning at 5:30 P.M. in West Carthage and continue up State Street to Monument Park. The purpose of the parade is to show school spirit and incorporate the community into one of the biggest events at the school. Motion carried 4 – 1 with Trustee Vary abstaining.

EXECUTIVE SESSION:

Motion by Kathleen Latremore and Seconded by Rebecca Vary to enter Executive Session at 7:40P.M. for the purpose of discussing a collective bargaining issue and Code Enforcement issue. Motion carried unanimously.

Regular session resumed at 8:12P.M.

Motion by Michael Astafan and Seconded by Rebecca Vary to authorize President McIlroy to sign a letter on behalf of the Village Board, to Allen Brady regarding his waterfront property. Motion carried unanimously.

Motion by Rebecca Vary and Seconded by Kathleen Latremore to table a decision on new members for the Planning Board pending discussions with Chairman Sean McHale. Motion carried unanimously.

ADJOURNMENT:

Motion carried to adjourn at 8:14P.M.

*Linda M. Weir*, Village Clerk