

Regular Meeting of the Village of Carthage Board of Trustees
Held in the Board Room of the Village of Carthage Municipal Building
March 20, 2017

ATTENDANCE:

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

Others: Edgar Countryman, DPW Superintendent; Reginald Huber, Police Chief; Mark Gebo, Village Attorney; Elaine Avallone, Johnson Newspapers; Kathy Amyot, Tug Hill Commissions; Fritz Metzger, Steve Gamble, Sherry Sears, Lynne Intorcia, Robert Oliver, Lee Bach, Richard Simmons, Patrick Malowski, WWNY-TV; and four Participation in Government.

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 Vary and seconded by Trustee Smith-Spencer to approve the minutes of the February 21, 2017 regular meeting as presented. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Vary to approve the minutes of the March 15, 2017 special joint meeting with the Village of West Carthage as presented. Motion carried unanimously.

Motion by Trustee Vary and seconded by Trustee Smith-Spencer to approve the minutes of the March 16, 2017 special meeting as presented. Motion carried unanimously.

PUBLIC FORUM:

Ms. Amyot thanked those who registered for the Tug Hill Conference at JCC on March 30, 2017. Ms. Amyot stated there is still time to register for the conference at an increased cost of \$100.00.

CORRESPONDENCE:

Motion by Deputy President Astafan and seconded by Trustee Franchini to approve the request of Jeanette Turner to use the Carthage Park and Recreation Building for an Easter Egg Hunt on Saturday, April 8, 2017 from 12:00 p.m. - 3:00 p.m. free of charge, with the proceeds of the event to benefit the VEM Food Pantry providing the event does not conflict with previously scheduled events at the Park and a certificate of insurance is provided. Motion carried unanimously.

Motion by Trustee Franchini and seconded by Deputy President Astafan to approve the request of Jim Scordo, YMCA to use the Carthage Park and Recreation Building to host its 3rd Family Fun Day and first ever Carthage YMCA Healthy Kids Day to promote healthy families on Saturday, April 22, 2017 from 9:00 a.m. - 1:00 p.m. free of charge providing the event does not conflict with previously scheduled events at the Park and a certificate of insurance is provided. Motion carried unanimously.

Motion by Trustee Vary and seconded by Trustee Smith-Spencer to approve the request of Richard Simmons, representing the Carthage American Legion Post 789, to host their annual "Cruise-in" classic car, truck, and motorcycle show on Wednesdays from 6:00 p.m. - 8:00 p.m. from May 10, 2017 - August 30, 2017 at Turning Point Park. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Vary to approve the request of the Carthage Elks Lodge #1762 to conduct a Flag Day Parade for the North Central District on June 10, 2017 at 11:00 a.m. to commence on North Jefferson Street in West Carthage, proceed across the bridge

onto State Street to North James Street, and end at the Carthage Elks Lodge on Fulton Street to include the assistance of the Village Police Department. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Vary to approve the request of Cub Scout Pack 39 to use the Carthage Park and Recreation Building free of charge for an outdoor overnight campout on August 19, 2017 and August 20, 2017. Motion carried unanimously

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to approve the request of the Carthage Revolution Football team to use the fields at the Carthage Park on Tuesday and Thursday evenings for practice. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Vary to approve the request of the Carthage Area Chamber of Commerce to place more banners on utility poles on outer State Street and North School Street providing they get permission from National Grid and further, they only use the poles without flags on them. Motion carried unanimously.

PUBLIC HEARINGS:

President McIlroy called the first public hearing to order to amend Chapter 33 of the Village of Carthage Code to restrict ATV use within the Village to order at 6:10 p.m. President McIlroy asked if there was anyone to speak either for or against the local law. Mr. Metzger stated he is in favor of keeping the roads open in the Village to four wheelers. President McIlroy asked Mr. Metzger if the Black River Riders Club can assist the Village with the regulations of the laws and Mr. Metzger stated he will mention it at the next meeting. Mr. Oliver stated he is a resident in the Village and he likes having the privilege of riding his four wheeler from his house to the trail system. Mr. Oliver stated if the Village bans four wheelers in the Village, he will be forced to trailer his four wheeler in order to ride on the trail system. Mr. Gamble expressed the intent of the law is to provide access from one trail to another and asked the Village not to punish everyone for the few law breakers. Mr. Gamble suggested that the Village reach out to other area law enforcement for assistance with this issue. Mr. Bezell stated the Town of Champion has had their roads open to four wheelers for the past twenty years and has not had any problems. Mr. Bezell feels the Village shouldn't punish everyone for a few bad apples. President McIlroy asked two more times if there was anyone who wished to speak for or against the local law. With no one else speaking, there was a motion by Trustee Vary and seconded by Trustee Smith-Spencer to close the public hearing at 6:24 p.m. Deputy President Astafan expressed that Chief Huber does a great job but he is not in favor of changing the current law of which Trustee Smith-Spencer agreed. President McIlroy asked if the fines for violating the law were enough and Attorney Gebo stated he thought the fine for violating the law is \$250.00 per occasion. Trustee Vary suggested re-visiting the issue in six months to see if there is improvement with the word getting out.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to not proceed with amending Chapter 33 of the Village of Carthage Code regarding ATV use on Village Streets. Motion carried unanimously.

President McIlroy stated a public hearing was scheduled to override the property tax cap for the coming fiscal year which is no longer necessary after working on the budget.

CORRESPONDENCE:

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to deny the request of the Carthage Area Chamber of Commerce for funding for the Sounds of Summer Concert Series as the Village contributes \$5,000.00 from the Village Loan Fund, to the Chamber on an annual basis to promote local businesses. Motion carried unanimously.

President McIlroy read the correspondence received from NYSOSC which lists the Village as having no designation for financial stress 11.3% and environmental stress 5.8%.

President McIlroy read the correspondence received from NYSDOH regarding the 2017 public water system monitoring requirement which was also presented at the Joint Water meeting.

President McIlroy stated the Carthage Specialty Paperboard correspondence regarding FERC project No. 10887 is for the boards information.

President McIlroy expressed the Town of Wilna Joint Planning Board minutes is for the boards information.

President McIlroy read the correspondence received from Pratt Northam Foundation stating they funded our organizations recreation request in the amount of \$8,000.00 which is a two thousand dollar increase from the amount granted last year. President McIlroy stated he is very pleased that the Village received this funding to assist with the costs of the Summer Recreation Program.

OLD BUSINESS:

At the December 19, 2016 meeting, the Board declared an emergency to remove the building at 302-306 North Mechanic Street as the structure is severely damaged and unsafe.

Update 01/17/17: President McIlroy stated the building has been knocked down and the debris is currently being removed.

Update 02/21/17: President McIlroy stated we are still waiting for the bill from GYMO for the removal of 302-306 North Mechanic Street. Deputy President Astafan stated the vacant property maybe marketable to the surrounding property owners. Attorney Gebo expressed if the costs to remove the building were re-levied on the Village taxes; the new owner would need to negotiate with the Village to remove the lien on the property.

Update 03/20/17: President McIlroy stated all of the expenses have been received and paid for this property in the amount of \$60,932.00. President McIlroy asked Attorney Gebo if he spoke with Jefferson County about the Village acquiring the property and Attorney Gebo stated he will check with the County and report back to the Board.

Motion by Trustee Vary and seconded by Trustee Smith-Spencer authorizing the Clerk/Treasurer to transfer funds from the Village Blight Fund in the amount of \$60,932.00 and further set up a repayment schedule of five years. Motion carried unanimously.

At the February 21, 2017 meeting, President McIlroy requested the Clerk/Treasurer to hold the Cash Management Services Master Agreement; Key Bank Positive Pay Service Schedule; and Key Bank File Translator over until March 20, 2016 based on the advice of Attorney Gebo.

Update 03/20/17: Attorney Gebo stated he discussed his comments with the Clerk/Treasurer and feels his concerns have been addressed.

Motion by Deputy President Astafan and seconded by Trustee Franchini authorizing President McIlroy to sign the Positive Pay Service Schedule agreement with Key Bank. Motion carried unanimously.

Motion by Trustee Vary and seconded by Trustee Smith-Spencer authorizing President McIlroy to sign the Cash Management Services Master Agreement with Key Bank. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer authorizing President McIlroy to sign the Key Bank File Translator Addendum to Positive Pay Service Schedule. Motion carried unanimously.

At the February 21, 2017 meeting, President McIlroy read the correspondence received from the CEO suggesting changes to the local law regarding abandoned/unregistered vehicles and after considerable discussion, requested the Clerk/Treasurer to hold this over until the March 20, 2017 meeting so he can discuss the Trustees concerns with Mr. Ball.

Update 03/20/17: President McIlroy stated Mr. Ball was concerned because there is not a permit fee charged or fines for violating the local law. Attorney Gebo stated the fines are stated under the general provisions of the code. After considerable discussion; the board was not in favor of changing the local law.

NEW BUSINESS:

Motion by Trustee Franchini and seconded by Deputy President Astafan to set a public hearing on April 17, 2017 at 6:10 p.m. to review the tentative budget for the fiscal year June 1, 2017 - May 31, 2018.

Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Vary authorizing President McIlroy to sign the Emergency Shared Services Agreement with NYSDOT retroactive to February 1, 2017 - January 31, 2021. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Deputy President Astafan authorizing the Village Justice to purchase a new copier to be shared with the Town of Wilna Justice in the amount of \$1,799.00 of which \$1,200.00 was secured through a JCAP grant and the balance of \$599.00 will be split with the Town of Wilna. Motion carried unanimously with Trustee Vary abstaining.

Motion by Trustee Smith-Spencer and seconded by Deputy President Astafan authorizing President McIlroy to sign a Subordination Agreement for Jeffrey Jones, 12 Stone Street, Carthage, who was a prior CDBG grant recipient. Motion carried unanimously.

Motion by Trustee Vary and seconded by Deputy President Astafan to declare the 2013 Ford Sedan Patrol Vehicle as surplus equipment and further authorize Chief Huber to advertise the vehicle on Auctions International. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to approve the request of Chief Huber and to hire Nathan Eisel as a full-time police officer and send him to the police academy in Broome County on April 17, 2017 contingent upon favorable background check; passing physical medical exam and physical fitness test; successfully completing field training program; and signing agreement with Village to reimburse Village for training expenses incurred if he does not remain employed for three years. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Franchini to hire Austin O'Shaughnessy as a part-time Front Desk Clerk to call in as needed to cover illnesses, vacations, and/or appointments at a rate of \$9.70 per hour. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to approve Budget Transfers and Budget Adjustments for account balancing as follows:

Budget Transfers			
AA.1325.2000	Treasurer Equipment	2,700.00	
AA.1325.4200	Treasurer Internet	100.00	
AA.3120.4210	Police Insurance	900.00	
AA.5142.4460	Snow Removal Safety	1,000.00	
AA.1990.4000	Contingencies		4,700.00

FX.8340.4600	Vehicle Equip Maint Repair	500.00	
FX.8340.4700	Job Supplies		500.00
Budget Adjustments			
AA.3120.4600	Vehicle/Equip Repair Maint	4,500.00	
AA.2680	Insurance Recoveries		4,500.00
AA.3650.4000	Demolition of Unsafe Bldgs	101,650.49	
AA.5031	Interfund Transfers		101,650.49

Motion carried unanimously.

Motion by Trustee Vary and seconded by Trustee Smith-Spencer to accept the Monthly Departmental Reports as presented by the CEO, Community Development, Court, DPW, Police, Treasurer, and Water. Motion carried unanimously.

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 Deputy President Astafan and seconded by Trustee Smith-Spencer to approve payment of payrolls and bills as follows: General Fund \$143,842.51; Special Grant Fund \$18,265.61; Water Fund \$23,568.96; and Sewer Fund \$14,656.35. Motion carried unanimously.

ATTORNEY GEBO:

Attorney Gebo expressed that the majority of his items were covered throughout the meeting. Attorney Gebo stated he sent correspondence to Ms. Ablan-Woodrow as she decreased the monthly amount she has been paying. Attorney Gebo requested an Executive Session to discuss Attorney/Client privilege items.

PRESIDENT MCILROY UPDATE:

President McIlroy stated there is a RACOG meeting on March 21, 2017 at 6:00 p.m. and a CIDC meeting on March 22, 2017 at 4:00 p.m. and both meetings will take place at the Carthage Municipal Building. President McIlroy stated he has received two anonymous complaints regarding the helicopter landing at the Carthage Fire Department. President McIlroy stated he looked in the Village Code and did not find anything that prohibits the helicopter from landing there but he is unsure why they are not using the helipad on South Washington Street. Deputy President Astafan said if they are really concerned, they should have left their name and contact information. President McIlroy stated he spoke with Mayor Burto regarding requesting an extension for the bids received for the WPCF Capital Project as West Carthage sent over a MOU for the Village of Carthage to sign. Attorney Gebo stated he just received the agreement and has not had time to review. President McIlroy stated the Clerk/Treasurer spoke with the NYS Office of the State Comptroller and he has concerns about language in the MOU which was submitted by West Carthage.

LIAISON REPORTS AND COMMENTS:

None.

MEDIA QUESTIONS:

None.

EXECUTIVE SESSION:

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer to enter Executive Session at 7:15 to discuss Attorney/Client privileged items. Motion carried unanimously.

Motion by Trustee Vary and seconded by Trustee Smith-Spencer to resume Regular Session at 7:47 p.m. Motion carried unanimously.

ADJOURNMENT:

Motion by Trustee Franchini and seconded by Deputy President Astafan to adjourn at 7:47 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy O'Shaughnessy
Village Clerk/Treasurer