

Regular Meeting of the Village of Carthage Board of Trustees
Held in the Board Room of the Carthage Municipal Building
November 18, 2013

ATTENDANCE:

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

Others: Dawn Lelakowski and Francis Dutch, Church Street Diner; and Elaine Avallone, Johnsons Newspapers.

CALL TO ORDER:

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

APPROVAL OF MINUTES:

Motion by Deputy President Astafan and seconded by Trustee Latremore to approve the minutes of the November 4, 2013 regular meeting as presented. Motion carried unanimously.

PUBLIC FORUM:

Ms. Lelakowski was concerned over the recent complaint the Village received regarding her temporary sign which she places on the corner of Church Street and State Street. Ms. Lelakowski obtained permission to place the sign from previous Code Enforcement Officers years ago. Ms. Lelakowski stated that she wants to be in compliance with the Village Laws and keep her sign in the current location as it helps her business. The Trustees agreed that the sign is not placed on the sidewalk; that it is positioned on the brick and does not interfere with pedestrian traffic. Attorney Gebo stated that the Village Code does not prohibit placing the sign in its current position. After considerable discussion, President McIlroy stated the board is not looking to change the Village Code regarding temporary signs at this time.

PUBLIC HEARING:

President McIlroy called the public hearing to order at 7:15 p.m. He explained the proposed Local Law to designate a handicapped parking space in the Village parking lot off Church Street near the Carthage Library. No one commented on the local law therefore motion by Trustee Latremore and seconded by Trustee Smith-Spencer to close the hearing at 7:17 p.m.

Motion by Trustee Latremore and seconded by Deputy President Astafan to adopt Local Law #3 of 2013 to amend Chapter 135-65.1 of the Village of Carthage Code to add a new handicap parking space as follows:

Article 1. - Statement of Authority. The Board of Trustees of the Village of Carthage, pursuant to the authority granted it under the Vehicle and Traffic Law of the state of New York, Article 4 of the Village Law and Sections 10 and 20 of the Municipal Home Rule Law of the State of New York hereby enact as follows:

Article 2. - Statement of Findings and Purpose. The Board of Trustees of the Village of Carthage hereby finds that it would be beneficial to designate a handicapped parking space in the Village parking lot off of Church Street near the Village Library. It is the purpose of this local law to designate such a parking space.

Article 3. - Enactment. The Board of Trustees of the Village of Carthage does hereby amend Chapter 135-65.1 of the Village of Carthage Code to add a new subdivision "C" to say:

“A single space in the Village parking lot located off Church Street, behind the Carthage Free Library. Space shall be located in the northeast corner of such lot.”

Article 4. Severability. If any part of this Chapter shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this Chapter.

Article 5. Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

The foregoing Local Law #3 of 2013 was duly adopted unanimously.

President McIlroy called the public hearing to order at 7:18 p.m. He explained the proposed Local Law to award purchase contracts and contracts for services subject to competitive bidding under General Municipal Law § 103 on the basis of either lowest responsible bidder or “Best Value” as defined in § 103 of the New York State Finance Law. No one commented on the local law therefore motion by Trustee Latremore and seconded by Trustee Smith-Spencer to close the hearing at 7:20 p.m.

Motion by Deputy President Astafan and seconded Trustee Latremore by to adopt Local Law #4 of 2013 to amend the Village of Carthage Code to add a new Section A. 150-18.1. “Best Value Policy” as follows:

Article 1. Statement of Authority. The Board of Trustees of the Village of Carthage pursuant to the authority granted under Section 103 of the General Municipal Law and Section 160 of the New York State Finance Law and Sections 10 and 20 of the Municipal Home Rule Law.

Article 2. Statement of Purpose and Findings. The Board of Trustees of the Village of Carthage seeks to exercise the local option set forth in § 103, Subdivision 1, of the New York General Municipal Law, as amended by Chapter 608 of the Laws of 2011 and Chapter 2 of the Laws of 2012, which amendment authorizes the Village to award purchase contracts and contracts for services subject to competitive bidding under General Municipal Law § 103 on the basis of either lowest responsible bidder or “best value” as defined in § 163 of the New York State Finance Law. The “best value” option may be used if it is more cost efficient over time to awarded the good or service to other than the lowest responsible bidder if factors such as lower cost of maintenance, durability, higher quality and longer product life.

Article 3. Enactment. The Board of Trustees of the Village of Carthage hereby enacts a new Section A150-18.1 of the Village Code to be known as Best Value Policy as follows:

A150-18.1 Best Value Policy

A. Award based on low bid or best value.

The Village Board may award purchase contracts and service contracts that have been procured pursuant to competitive bidding under General Municipal Law § 103 by either lowest bidder or best value.

B. Applicability

The provisions of this chapter apply to Village purchase contracts and contracts for services above the bidding thresholds set forth under General Municipal Law § 103 but exclude purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the State Labor Law and excluding any other contract that may in the future be excluded under state law from the best value option.

C. Standards for best value.

Goods and services procured and awarded on the basis of best value of those that the Village Board determines will be of the highest quality while being the most cost efficient. The determination of quality and cost efficiency shall be based on objectively

quantified and clearly described and documented criteria, which may include, but shall not be limited to, any or all of the following: cost of maintenance; proximity to the end user if distance or response time is a significant terms; durability; availability of replacement parts or maintenance contractors; and longer product life; product performance criteria; and quality of craftsmanship.

D. Documentation.

Whenever any contract is awarded on the basis of best value instead of lowest responsible bidder, the basis for determining best value shall be thoroughly and accurately documented.

E. Procurement policy superseded where inconsistent.

Any inconsistent provision of the Village's procurement policy, as adopted prior to the effective date of this chapter by resolution of the Village Board, or as amended thereafter, shall be deemed superseded by the provisions of this chapter.

Article 4. Severability. If any part of this Chapter shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this chapter.

Article 5. Effective Date. This local law will take effect immediately upon filing with the Secretary of State.

The foregoing Local Law #4 of 2013 was duly adopted unanimously.

CORRESPONDENCE:

Alan Cross, United Community Church submitted a request for the Village Board to consider designating an existing parking space on the corner of State Street and North School Street to benefit their elderly and physically challenged members. Mr. Cross requested the space be designated on State Street. The Trustees wished to review the site where the handicapped space is requested and hold this issue until the December 2, 2013 regular meeting.

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer to permit Christopher Todd with Aubertine & Currier to obtain the Village water system plans from Ernie Prievo, Water Superintendent, near the Braman site near the intersection of Alexandria Street and Boyd Street to perform a fire flow test. Motion carried unanimously.

OLD BUSINESS:

On June 3, 2013, President McIlroy read the letter from NYSDEC regarding the Municipal Separate Storm Sewer System Automatic Designation which requires a response from the Village by November 18, 2013. President McIlroy hopes to learn more about the designation at the Watershed Conference on June 4, 2013 and requested the Clerk/Treasurer to hold this issue until the June 17, 2013 regular meeting.

Update 06/17/13: President McIlroy stated the response to the Separate Storm System Automatic Designation needs to include how the Village will notify the public of the Storm Sewers to include marking the storm drains and mapping the system using the GPS. President McIlroy requested the Clerk/Treasurer to hold this issue until the next regular meeting to allow time to learn more information regarding this requirement.

Update 07/15/13: President McIlroy and possibly Deputy President Astafan will attend an information session regarding the Village's participation in the new MS4 program on July 17, 2013 at the Town of Brownville Offices.

Update 08/19/13: President McIlroy attended the informational session on July 17, 2013 which outlined how specific communities could obtain a waiver from the MS4 program. The Village of

Carthage is not eligible for the waiver and President McIlroy stated Scott Burto, West Carthage Mayor offered to obtain more information regarding the program.

Update 09/03/13: There will be a meeting on September 5, 2013 at 10:00 a.m. at the Village of West Carthage Board Room to discuss opportunities to partner as a cooperative group in the new MS4 program.

Update 09/16/13: There will be a follow up meeting regarding the new MS4 program at the Village of West Carthage Board room on September 18, 2013 and President McIlroy encouraged board members to attend.

Update 10/07/13: The board adopted a resolution to partake in NYS DEC Water Quality Improvement Program Grant and hired Bernier, Carr & Associates to assist with the Notice of Intent application by NYSDEC.

Update 10/21/13: There will be a follow up meeting regarding the new MS4 program at the Village of Black River on October 22, 2013 at 1:00 p.m.

Update 11/05/13: President McIlroy stated Bernier, Carr & Associates have completed the Notice of Intent and will set up an appointment with the Clerk/Treasurer and himself at the end of this week to review.

Update 11/18/13: The Notice of Intent was signed and sent to NYSDEC.

At the October 7, 2013 meeting the board accepted the resignation letter from Samuel Lundy from the position of Bailiff for the Village of Carthage Justice Court with regrets.

Update 10/21/13: Judge Shettleton stated that Chief Huber has been supplying her with a Police Officer while her court is in session but stated she is unsure how long Chief Huber can continue supplying an Officer due to possible staffing issues. Chief Huber stated he is working on a solution but will continue to provide an Officer in the interim.

Update 11/04/13: No action was taken therefore President McIlroy requested the Clerk/Treasurer to hold this issue until the November 18, 2013 meeting.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to hire Darren Ashcroft as Court Bailiff effective immediately at the rate of \$50.00 for each Monday he works. Motion carried unanimously.

On September 18, 2013 there was an Evidentiary Hearing regarding a vacant property at 511 Adelaide Street and it was determined that the structure is unsafe. On October 21, 2013 the board authorized the DPW to secure the building of which the DPW Superintendent feels is a safety issue for DPW employees. President McIlroy, Deputy President Astafan, and the CEO assessed the property and agree that the building is unsafe and President McIlroy feels that the board should consider removing the structure. Attorney Gebo advised that the DPW should put up temporary fencing and signs to warn people of the potential danger.

Motion by Trustee Latremore and seconded by Deputy President Astafan to hold a second Evidentiary Hearing regarding 511 Adelaide Street on Monday, December 2, 2013 at 4:15 p.m. to discuss the new findings regarding the structure and have Attorney Gebo attempt to notify the property owner of the hearing. Motion carried unanimously.

On November 4, 2013, Amanda Gump requested permission to release paper lanterns at Guyot's Island as a memorial for lost pregnancies and infant deaths which is recognized in the month of October and President McIlroy requested Ms. Gump to present letters from the police and fire departments stating their approvals.

Update 11/18/13: Ms. Gump did not follow up and bring the approval letters therefore President McIlroy requested the Clerk/Treasurer to remove this item.

NEW BUSINESS:

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer to approve CDBG 2012 Draw #6 payable to R-Factor Spray Foam Insulation \$500.00; Lead Safe, LLC \$450.00; and Avalon Associates, Inc. \$2,313.04. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer to authorize President McIlroy to sign the agreement with the Wilna-Champion Transportation Association, Inc. who provides bus services to residents of the Village of Carthage in the amount of \$5,000.00. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Deputy President Astafan to approve Budget Transfers and Budget Amendment as follows:

Budget Transfers

A.1110.0421	COURT INS. SNOW REMOVAL	1,047.00	
A.5142.0421	INS.	3,300.00	
A.7140.0421	ATHLETIC INS. STREET CLEAN	104.00	
A.8170.0421	INS.	215.00	
A.1620.0421	BUILDING INS. STREET ADMIN		1,047.00
A.5010.0421	INS. ADJUST INSURANCE TO ACTUAL		3,619.00
A.3120.0420	POLICE INTERNET POLICE VEHICLE	925.00	
A.3120.0463	INS ADJUST INTERNET/INS. TO ACTUAL.		925.00
A.7310.0100	YOUTH PROGRAM PERSONAL SERVICES	740.00	
A.7140.0435	ATHLETIC SPECIAL ITEMS TO DEPT ADJUST YOUTH PERSONAL SERVICES TO ACTUAL		740.00
A.6989.0004	ECONOMIC DEV CONTR EXPS	5,000.00	
A.1990.0400	CONTINGENCIES ADJUST ECON. DEV. TO ACTUAL		5,000.00

A.7110.0495	VILLAGE GREEN PARK LONG FALLS/GUYOTS ISLAND	700.00	
A.7110.0493	ADJUST PARKS TO ACUTUAL		700.00
F.8310.0421	WATER INS. WATER	3,074.00	
F.1990.0400	CONTINGENCY ADJUST INSURANCE TO ACTUAL		3,074.00
G.9710.0600	DEBT PRINCIPAL SERIAL BONDS	430.00	
G.1990.0400	CONTINGENCIES Adjust Debt Principal to Actual		430.00

Budget Amendment

A.3120.0200	POLICE EQUIPMENT	35,450.00	
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TO ACCOUNT FOR PURCHASE OF POLICE VEHICLE WITH RESERVES

Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Latremore to accept the monthly departmental reports from the CEO, Community Development, Court, DPW, Police, and Treasurer as presented. Motion carried unanimously. The Water report was not included due to the annual leave of Water Superintendent. Trustee Latremore commended the individual departments for their efforts.

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer to approve payment of payrolls and bills as follows: General Fund P/R 11/07/13 and 11/14/13 \$27,923.00; Water Fund P/R 11/07/13 and 11/14/13 \$4,270.73; Sewer Fund P/R 11/07/13 and 11/14/13 \$3,425.56; Joint Fund P/R 11/14/13 \$9,647.10. General Fund Abstracts \$161,225.63; Water Fund Abstracts \$20,798.65; Sewer Fund Abstracts \$21,027.08; and Joint Fund Abstracts \$0. Motion carried unanimously.

PRESIDENT McILROY UPDATE:

President McIlroy asked Attorney Gebo if the EDCC was dissolved yet and Attorney Gebo stated that the accounting firm of Poulsen and Podvin submitted the necessary forms to NYS Tax and Finance and it should be dissolved soon. President McIlroy stated that at the December 2, 2013 Organizational Meeting, he will need to remove a Trustee from the WPCF Board and asked if any of the Trustees wished to be removed, with the exception of Deputy President Astafan, to

contact him. President McIlroy and John McHugh, Community Development Director, attended a meeting sponsored by FEMA in regard to the flood plain. President McIlroy is concern that homeowners within the floodplain are going to have trouble selling their homes as federally insured mortgages require individuals to purchase costly flood insurance during the lending period. The FEMA representatives told President McIlroy that residents can lift their homes onto piers or fill in their basements with concrete to decrease the cost of flood insurance. Attorney Gebo stated that the flood insurance premiums are expected to increase dramatically. President McIlroy asked the Clerk/Treasurer when the bids for the Jeep are due and she stated Monday, November 25, 2013 at 3:30 p.m. President McIlroy stated the Clerk's office researched Charles Hoffman's retirement/payroll issue he inquired about at the last meeting. The Clerk/Treasurer sent Mr. Hoffman a letter listing his dates of employment and also enclosed a letter from the NYS Retirement System which explained his retirement status. There will be a Joint Water/Sewer meeting on Wednesday, November 20, 2013 at 6:00 p.m. at the Village of West Carthage Municipal Building. There will be a MS4 meeting at the Village of Black River on Thursday, November 21, 2013 at 1:00 p.m. and encouraged board members to attend.

ATTORNEY GEBO UPDATE:

Attorney Gebo stated the majority of his items were discussed throughout the meeting. Attorney Gebo stated he received a call from Mr. King requesting two more weeks to complete the sewer connections at his properties due to his medical issues.

LIAISON REPORTS AND COMMENTS:

Trustee Latremore stated she noticed several lights out within the Village and President McIlroy stated National Grid has been made aware. Trustee Latremore stated the 12 Honors Spook Trail Group donated over \$400.00 to the Carthage Recreation Program and requested the Clerk/Treasurer to send them a letter thanking them for their efforts. Trustee Latremore wished everyone a safe and Happy Thanksgiving and President McIlroy reiterated the same.

MEDIA QUESTIONS:

Ms. Avallone requested clarification for items discussed throughout the meeting.

EXECUTIVE SESSION:

None.

ADJOURNMENT:

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer to adjourn at 8:00 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy L. O'Shaughnessy
Village Clerk/Treasurer