

Regular Meeting of the Village of Carthage Board of Trustees
Held in the Board Room of the Carthage Municipal Building
June 16, 2014

ATTENDANCE:

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

Others: Mark Gebo, Village Attorney; Ernie Priervo, Water Superintendent; Reginald Huber, Police Chief; Kathy Amyot, Tug Hill Commission; Matt Gump; Julie Ablan-Woodrow; and Elaine Avallone, Johnsons Newspaper.

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 Trustee Latremore and seconded by Trustee Smith-Spencer to approve the minutes of the June 2, 2014 regular meeting as presented. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to approve the minutes of the June 12, 2014 Public Hearing regarding the CDBG application. Motion carried unanimously.

PUBLIC FORUM:

None.

CORRESPONDENCE:

Ms. Ablan-Woodrow owns Ablans Business Center, Inc. at 264 State Street, submitted a letter to the Board requesting two parking spaces in the Village parking lot to be assigned to the businesses near her store. The letter explained that she was parked at the loading dock behind her business to bring in supplies, got busy, forgot to move her car, and was issued a parking ticket. Ms. Ablan-Woodrow explained the reason for her letter and requested three parking spaces for the business only and to not permit tenants who live in the building to park there. After considerable discussion, Chief Huber stated he would research the issue and forward his recommendation to the Board.

The Carthage Lions Club donated \$125.00 and Carthage Head Start donated \$150.00 to the Carthage Recreation Program. The Board was appreciative and requested the Clerk/Treasurer to send them a thank you letter.

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer to permit the Carthage Area Chamber of Commerce to host a Fireworks Festival on Saturday, July 12, 2014 commencing at 4:00 p.m. at Turning Point Park to include blocking Water Street and the assistance of the DPW and Police Departments providing the Chamber forwards a certificate of insurance to the Village. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Latremore to permit Long Falls Baptist Church to host their vacation bible school at the Carthage Park adjacent to the Summer Recreation Program providing they provide a certificate of insurance and parents sign a release form allowing their children to attend. Motion carried unanimously.

David and Krissi Elshaug who reside at 1102 Alexandria Street submitted a request to annex their property from the Village of Carthage into the Town of Wilna. After considerable discussion, the board

requested the Clerk/Treasurer to provide a better map of the property and to hold this issue until the July 21, 2014 regular meeting.

OLD BUSINESS:

At the May 19, 2014 meeting, a concerned citizen who lives at 310 West Street, across from the Carthage Augustinian Academy, requested signage on the South side of the street be changed from no parking to no parking, no stopping, and no standing as she is concerned about the safety of children dropped off for school and crossing the road.

Update 6/2/14: Attorney Gebo sent a draft of a local law to the board for their consideration. President McIlroy requested the Clerk/Treasurer send the information provided by Chief Huber regarding the School Zone and to hold this issue over until the June 16, 2014 regular meeting when Attorney Gebo will be present.

Motion by Trustee Latremore and seconded by Deputy President Astafan to hold a public hearing on July 21, 2014 at 7:10 p.m. regarding a local law to define school zones for the Augustinian Academy and Carthage Central Elementary School and a local law prohibiting stopping and standing on certain portions of the 300 block of the South side of West Street. Motion carried unanimously.

Robert Ball, CEO condemned the property on 524 Boyd Street due to its poor condition. Mr. Ball has been in contact with the property owner who intends to demolish the building with a tentative start date of June 2, 2014.

Update 6/2/14: Mr. Ball reported to the Board that Op-Tech plans to remove the building on June 9, 2014.

Update 6/16/14: The building has been removed and the President McIlroy said it looks great.

Mr. Ball reported that he issued a notice to CSX Transportation regarding the garbage on their property of which they have not responded. President McIlroy requested the Clerk/Treasurer hold this issue over until the June 16, 2014 meeting.

Update 6/16/14: President McIlroy stated CSX Transportation has not responded and asked Attorney Gebo if the Village could cleanup the property and relevel the expense on their Village taxes. Attorney Gebo stated he would look into it and get back to the Board.

Mr. Ball reported that he condemned 208 North Mechanic Street on Tuesday, May 26, 2014 as it is unsafe.

Update 6/16/14: Mr. Ball sent a notice of violation to the property owner, Mr. Trombley, who signed the certified return receipt card on June 10, 2014. Mr. Trombley has fourteen days to complete the repairs or remove the building. Attorney Gebo stated the Village may need to conduct an Evidentiary Hearing if Mr. Trombley doesn't comply.

At the June 2, 2014 meeting Matt Gump submitted a written request to the board requesting use of the Carthage Park and Recreation Building on August 30, 2014 as they would like to host a "Christmas in August" toy donation event for local angel tree organizations. Mr. Gump is organizing a motorcycle ride to begin at the West Carthage Fire Hall and end at the Carthage Park with car/bike show; live bands; craft and food vendors; and possibly a beer garden. After considerable discussion, President McIlroy requested to hold the issue over until the June 16, 2014 regular meeting and further requested the Clerk/Treasurer to forward the request to Attorney Gebo for his legal opinion.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to permit Mr. Gump to conduct host a "Christmas in August" toy donation event for local angel tree organizations on August

30, 2014 at the Carthage Park to include live bands; craft and food vendors and a beer garden providing there are no glass contains and further request they provide a certificate of insurance. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Latremore to waive the Carthage Recreation Building rental fee for the above event but require Mr. Gump to pay the security deposit. Motion carried with President McIlroy opposed.

NEW BUSINESS:

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer to approve CDBG 2012 Draw #12 payable to R-Factor \$500.00; Lead Safe LLC \$850.00; and Avalon and Associates, Inc. \$3,548.67. Motion carried unanimously.

Ms. Amyott stated she continues to follow up regarding the reimbursement for the Long Falls Park project and anticipates the Village receiving the funds in the near future. Ms. Amyott stated the Town of Wilna is advancing with their application for utility upgrades.

Motion by Trustee Smith-Spencer and seconded by Deputy President Astafan to purchase a dock for Turning Point Park for an amount not to exceed \$6,195.00; request Daniel Trembley, DPW Superintendent to obtain two more quotes; and further to transfer funds from the contingency fund for the expense. Motion carried unanimously.

The Fuel Bids were opened today at 3:30 p.m. and John McHugh, Community Development Director and Kristy O'Shaughnessy, Clerk/Treasurer were present. Two bids were received by Christman Fuel Service, Inc. and Simpson Fuels, Inc. The bid stated that the price must be fixed for a twelve month period and only the Simpson Fuels, Inc. bid complied.

Motion by Trustee Smith-Spencer and seconded by Deputy President Astafan to award the bid to Simpson Fuels, Inc. for regular unleaded gasoline \$3.1025 per gallon and ultra low sulfur diesel \$3.1755 per gallon effective July 1, 2014 for twelve calendar months. Motion carried unanimously.

Ernie Prieto, Water Superintendent explained the letter he submitted to the board regarding the Village filling swimming pools. He suggested increasing the cost from \$25.00 plus the cost of water to \$75.00 plus the cost of water and have the resident complete a standardized form. Trustee Latremore suggested including a hold harmless clause on the form to protect the Village and Attorney Gebo stated he would forward the language to Mr. Prieto. Mr. Prieto provided an example of a form for residents to complete if they are filling their pool from their garden hose and suggested the board only give credit if amount of water used exceeded 2 billing units (1,500 gallons). Mr. Prieto asked the Board to consider if they want to give residents more than one credit per year. Mr. Prieto will work with Attorney Gebo to reform the pool filling policies which will require a public hearing to change.

Motion by Trustee Smith-Spencer and seconded by Trustee Latremore authorizing North Country Forestry Services, LLC to send out bid packets for timber harvesting on the Village Watershed property in the Town of Croghan to be submitted to the board for their consideration on July 21, 2014. Motion carried unanimously.

The Clerk's Office contacted local accounting firms and emailed the agreed upon procedures to be performed for the fiscal year ending May 31, 2014 to interested accounting firms for their consideration. Deputy President Astafan and Trustee Smith-Spencer reviewed the quotes received from Crowley and Halloran; Stackel and Navarra; and Bowers & Company to complete the Villages annual Agreed Upon Procedures and recommended Stackel and Navarra.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer authorizing President McIlroy to sign the engagement letter with Stackel and Navarra, CPA to provide Agreed Upon Procedures for the Village for the fiscal year ending May 31, 2014 in the amount of \$5,000.00. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Deputy President Astafan to authorize the payment of unused sick time to the following: Samuel Capone 57 hours \$178.12; Reginald Huber 15 days \$225.00; Ernest Prievo 15 days \$225.00; Daniel Trembley 14 days \$210.00; Wendy Oliver 14 days \$210.00. Motion carried unanimously.

Attorney Gebo developed an agreement for a part-time officer to attend the police academy training and President McIlroy stated that Chief Huber informed him that the potential candidate was no longer interested.

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer to authorize posting the full-time DPW Laborer position in house for ten days to include language that the candidate is expected to obtain their Class B drivers license within one year and Grade 2 water license within two years. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer to allow the Clerk's office to partake in Summer Hours by closing the office at 1:00 p.m. on Fridays and allow the Clerk/Treasurer and Deputy Clerk to alternate taking Fridays off and decrease their lunch time from one hour to ½ hour during the months of July, August, and September. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to approve the following year-end budget transfers:

Budget Transfers 05/31/2014

A.1325.0410	Telephone	72.78	
A.1325.0422	Travel & Training		72.78
A.3120.0422	Travel & Training	435.20	
A.3120.0463	Vehicle Ins.		435.20
A.3620.0400	CEO Cont. Services	450.00	
A.1990.0400	CONTINGENCIES		450.00
A.5010.0420	Inernet	4.00	
A.5010.0430	Office Supplies		4.00
A.5142.0470	Job Supplies	580.00	
A.5142.0471	Ice Control, Sand Salt		580.00
A.7110.0491	Monument Park	85.00	
A.1990.0400	CONTINGENCIES		85.00

A.7140.0410	Telephone	91.00	
A.7140.0446	Safety	65.00	
A.7140.0461	Vehicle/Equip Fuel	140.00	
A.7140.0435	Special Items to Dept.		296.00
A.7310.0100	Youth Program Per Services	40.00	
A.1990.0400	CONTINGENCIES		40.00
A.8020.0100	Planning Personal Services	525.00	
A.9050.0800	Unemployment Ins.	2,755.37	
A.1990.0400	CONTINGENCIES		3,280.37
A.1325.0435	Special Items to Dept.	172.00	
A.1325.0432	Contracts/Maint Agreements		172.00
A.5010.0100	Street Admin Personal Services	46.00	
A.5010.0446	Safety		46.00
A.5142.0200	Snow Removal Equip under .01 \$2500	282.00	
A.5142.0200	Snow Removal Equip		282.00
A.9710.0600	Debt Principal, Serial Bonds	65,000.00	
A.9710.0700	Debt Interest, Serial Bonds	19,937.50	
A.9730.0600	Debt Principal, BANS		65,000.00
A.9730.0700	Debt Interest, BANS		19,937.50
F.8310.0410	Telephone	14.00	
F.9050.0800	Unemployment Ins.	364.77	
F.1990.0400	CONTINGENCIES		378.77
F.8310.0100	Water Admin Per Services	84.00	
F.8310.0432	Contracts/Maint Agreements		84.00
G.8110.0100	Sewer Admin Per Services	23.00	
G.9050.0800	Unemployment Ins.	100.60	
G.1990.0400	CONTINGENCIES		

			123.60
G.8110.0100	Sewer Admin Personal Services	255.00	
G.8120.0100	Sanitary Sewers Personal Services		255.00

Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Latremore to accept the monthly departmental reports from the CEO, Court, DPW, Police, Water Department, and Treasurer as presented. Motion carried unanimously. The Community Development departmental report was not submitted.

Deputy President Astafan and Trustee Smith-Spencer reviewed the monthly bills prior to the meeting.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to approve payment of payrolls and bills as follows: General Fund P/R 05/22/14, 05/29/14, 06/05/14, and 06/12/14 \$59,320.32; Water Fund P/R 05/22/14, 05/29/14, 06/05/14, and 06/12/14 \$5,817.61; Sewer Fund P/R 05/22/14, 05/29/14, 06/05/14, and 06/12/14 \$5,901.22; Joint Fund P/R 05/29/14, and 06/05/14 \$18,927.93. General Fund Abstracts \$100,013.53; Water Fund Abstracts \$100,380.37; Sewer Fund Abstracts \$77,808.99; and Joint Fund Abstracts \$97,714.59. Motion carried unanimously.

PRESIDENT MCILROY UPDATE:

President McIlroy asked Attorney Gebo if the EDCC was taken care of and Attorney Gebo stated the corporation has been dissolved. President McIlroy asked Attorney Gebo if the judgment had been filed for Ricky Meyers for 511 Adelaide Street and Attorney Gebo stated it is still in process. President McIlroy asked the Clerk/Treasurer if the MS4 Bi-laws had been received and Attorney Gebo stated they are still in process.

LIAISON REPORTS AND COMMENTS:

Deputy President Astafan requested an Executive Session to discuss a potential arbitration. Trustee Smith-Spencer thanked Mr. Prievo for his reports. Trustee Latremore thanked the Village departments for preparing the Village for the parades and commented on how nice the Village looks after the long, hard winter. Trustee Latremore requested an Executive Session to discuss a potential litigation.

MEDIA QUESTIONS:

Ms. Avallone requested clarification regarding various items discussed throughout the meeting.

EXECUTIVE SESSION:

Motion by Trustee Latremore and seconded by Deputy President Astafan to enter Executive Session at 8:30 p.m. to discuss a potential arbitration and potential litigation and request Mr. Prievo and Attorney Gebo to attend. Motion carried unanimously.

Mr. Prievo left at 8:40 p.m.

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer to resume Regular Session at 9:10 p.m.

ADJOURNMENT:

Motion by Trustee Latremore and seconded by Deputy President Astafan to adjourn at 9:11 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy L. O'Shaughnessy
Village Clerk/Treasurer