

Regular Meeting of the Village of Carthage Board of Trustees
Held in the Board Room of the Carthage Municipal Building
January 19, 2016

ATTENDANCE:

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

Others: Elaine Avallone, Johnson Newspapers and Kathy Amyot, Tug Hill Commissions (6:05 p.m.).

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 Deputy President Astafan to approve the minutes of the January 4, 2016 regular meeting as presented. Motion carried unanimously.

PUBLIC FORUM:

None.

PUBLIC HEARINGS:

President McIlroy stated there are two public hearings scheduled at 6:10 p.m.

CORRESPONDENCE:

Motion by Trustee Latremore and seconded by Trustee Vary to permit the Carthage Area Chamber of Commerce to conduct horse drawn wagon rides commencing at the Carthage Park, proceeding to Hospital Drive, then West Street, then Thorpe Street, and back to the Carthage Park during Winterfest on February 6, 2016 providing a certificate of insurance is issued to the Village and further permit signage to be placed at the entrance of the park to advertise the event. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Deputy President Astafan to permit the Carthage American Legion Bassett-Baxter Post 789 to conduct a Memorial Day parade on Monday, May 30, 2016 to commence in West Carthage at 10:00 a.m. and proceed through Carthage to Monument Park and further request the Police Department to close State Street at North and South Washington Streets during the parade and services at Monument Park. Motion carried unanimously.

President McIlroy read the correspondence from the Carthage American Legion Bassett-Baxter Post 789 inviting the Board to participate in the parade.

President McIlroy read the correspondence from NYS Tug Hill Commission regarding their meeting on Monday, January 25, 2016 at 10:00 a.m. at the Village of Central Square Municipal Building.

Motion by Trustee Latremore and seconded by Trustee Vary to deny the request of Richard and Nancy Fargo at 439 South Clinton Street for a sewer credit due to the water continuously running into the back of their toilet and through the Village sewer system. Motion carried unanimously.

President McIlroy read the correspondence received from Avalon Associates, Inc. informing the Town of Wilna that they were not funded for the 2015 CDBG Housing application submitted on behalf of the Village and Town.

OLD BUSINESS:

At the December 21, 2015 meeting, the Board agreed to permit Chief Huber to work additional ten hour shifts at a rate of \$341.40 per shift, only if the shifts are first offered to full time police officers first. Motion carried unanimously.

Update 01/04/16: Attorney Gebo expressed he received an email from the NYS Teamsters stating they now oppose Chief Huber conducting bargaining unit work. Attorney Gebo stated he will set up a meeting with the NYS Teamsters representative to discuss the issue.

Update 01/19/16: President McIlroy stated Attorney Gebo is drafting an agreement for the NYS Teamsters consideration.

At the December 7, 2015 meeting, President McIlroy stated he spoke with the Town of Wilna Supervisor regarding the Village Planning Board and asked if the Town would be interested in taking it over. President McIlroy explained to Mr. Smith that the Village Planning Board rarely meets and is not qualified as the majority of them do not attend required training. Mr. Smith stated he will discuss the issue with the Town Board and Town Planning Board.

Update 12/21/15: President McIlroy stated the Village of Deferiet is also interested in the Town taking over their planning board. Attorney Gebo expressed the Town contacted Tug Hill Commissions for their assistance with the potential transition. President McIlroy stated he has a call into the Village planning board chairperson to get his input. Deputy President Astafan feels a Village resident should be on the Town planning board if they were to take it over.

Update 01/04/16: Attorney Gebo stated Tug Hill Commissions is working with the Town of Wilna on the transition.

Update 01/19/16: Ms. Amyot stated the Tug Hill Commissions is still working on the transition with the Town.

PUBLIC HEARINGS:

President McIlroy opened the Public Hearing to discuss a local law to designate three assigned parking spots for the Municipal employees at 6:10 p.m. President McIlroy asked three times if there was anyone who wanted to speak for or against the local law. With no one wishing to speak, there was a motion by Trustee Latremore and seconded by Trustee Vary to close the hearing at 6:11 p.m. Motion by Deputy President Astafan and seconded by Trustee Latremore to adopt Local Law #1 of 2016 as follows:

A local law to amend Chapter 135 of the Village Code.

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, Article 9 of the Village Law and Sections 10 and 20 of the Municipal Home Rule Law hereby enact as follows:

Article 2. - Statement of Findings and Purpose. The Board of Trustees of the Village of Carthage hereby finds that it is the purpose of this local law to establish three parking spaces in the Municipal lot on West Street for Municipal employees and remove one parking space in front of the stairs to the courtroom rear entrance.

Article 3. - Enactment. The Board of Trustees of the Village of Carthage hereby amends Section 135-65.2 of the Village of Carthage Code as follows:

| <u>Name of Street</u> | <u>Side</u> | <u>Location</u> |
|-----------------------|-------------|-----------------|
| West Street | North/East | Municipal 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 upon filing with the New York State Department of State.

Motion carried unanimously.

President McIlroy opened the Public Hearing to discuss a local law to amend those fines for violation of parking regulations and handicapped parking regulations at 6:11 p.m. President McIlroy asked three times if there was any one who wanted to speak for or against the local law. With no one wishing to speak, there was a motion by Trustee Latremore and seconded by Trustee Vary to close the hearing at 6:13 p.m. Motion by Deputy President Astafan and seconded by Trustee Latremore to adopt Local Law #2 of 2016 as follows:

A LOCAL LAW TO AMEND CHAPTER 135-3 OF THE VILLAGE OF CARTHAGE CODE.

Article 1. - Statement of Authority. The Board of Trustees of the Village of Carthage, pursuant to the authority granted under the Vehicle and Traffic Law, Article 7 of the Village Law and Sections 10 and 20 of the Municipal Home Rule Law hereby enact as follows:

Article 2. - Statement of Findings and Purpose. The Board of Trustees of the Village of Carthage hereby finds that the fines for violation of parking regulations and handicapped parking regulations are too low. It is the purpose of this local law to amend those fines accordingly.

Article 3. - Enactment. The Board of Trustees of the Village of Carthage hereby amends Section 135-3 of the Village of Carthage Code and more particularly subdivision B as amended restates as follows:

Section 135-3(B).

"A notice shall be attached to any vehicle in violation of the provisions of Section Sections 135-19, 135-20, 135-21, 135-22, 135-58, 135-59 and 135-60. Such notice shall state that such vehicle has been parked in violation of said Sections and shall instruct the owner of such vehicle to report to the Police Justice of the Village of Carthage in regards to such violation. Each such owner may, within seven (7) days of the time when such notice was attached to the vehicle, pay to the Police Justice of the Village of Carthage the penalty for, and in full satisfaction of such violation an amount equal to twenty-five dollars (\$25.00) provided however, that if such fine is in violation of the handicapped parking regulations, such fines shall be fifty dollars (\$50.00). If such fine is not paid within seven (7) days of the date of issuance of the ticket, the fine shall be increased to fifty dollars (\$50.00) except in the case of handicapped parking which shall be increased to one hundred dollars (\$100.00). Any vehicle parked in a parking space overtime more than twice the allowed time shall be subject to removal and storage as provided in Article V of this Chapter. Failure of such owner to make payment to the Police Justice in the Village of Carthage within thirty (30) days shall render such

owner subject to penalties herein before provided for violations of the provision of Chapter 135-3(A)"

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.

Motion carried unanimously.

OLD BUSINESS:

At the December 7, 2015 meeting, President McIlroy stated he had a meeting at the Town of Wilna regarding dog control.

Update 12/21/15: Attorney Gebo expressed the Town of Wilna hired a contractor from Croghan and also contracted with the Lewis County Human Society to handle dog control in the Town to include the Village of Carthage which is a significant savings to the Town. The new dog control officer asked if the Town and Village could harmonize their dog control laws. Attorney Gebo stated the Town is holding a public hearing regarding their dog control law and he intends to work on the Village's law in the near future.

Update 01/04/16: Attorney Gebo stated he should have the dog control law revised for the Village to correspond with the Town of Wilna dog control laws for the Village to consider at the January 19, 2016 meeting.

Motion by Trustee Latremore and seconded by Trustee Vary to set a Public Hearing on February 16, 2016 at 6:10 p.m. to discuss amending the dog control law. Motion carried unanimously.

At the January 4, 2016 regular meeting, Attorney Gebo forwarded the Farmers Market agreement between the Town of Wilna and the Village of Carthage to the Clerk/Treasurer and explained there is a minor change from the original agreement due to the addition of a new paragraph added to allow the agreement to automatically renew for one year periods unless any party notifies the others of their intention not to renew.

Motion by Deputy President Astafan and seconded by Trustee Latremore authorizing President McIlroy to sign the Farmers Market agreement with the Town of Wilna and the Carthage Area Chamber of Commerce. Motion carried unanimously.

NEW BUSINESS:

Motion by Deputy President Astafan and seconded by Trustee Vary, based on the recommendation of the Village Loan Committee, to appropriate \$20,000.00 from the Village Loan funds to be used as a match to funding obtained to study the water infiltration which occurs at Metro Paper which will place the Village in a favorable position to receive grant funding in the future to correct the water infiltration issue.

Motion by Trustee Latremore and seconded by Trustee Vary to approve the budget transfers as follows:

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|-------------|-----------------------------|--------|--------|
| A.1110.0435 | SPECIAL ITEMS TO DEPARTMENT | 100.00 | |
| A.1110.0441 | UTILITIES | | 100.00 |

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| A.5010.0432 | CONTRACTS/AGREEMENTS | 300.00 | |
| A.5010.0444 | TRASH REMOVAL | 2,000.00 | |
| A.5010.0441 | UTILITIES | | 2,300.00 |
| A.7310.0100 | PROGRAM PERSONAL | 300.00 | |
| A.7140.0435 | SPECIAL ITEMS TO DEPARTMENT | | 300.00 |

Motion carried unanimously.

President McIlroy stated the revised EFC application for the WPCF project was not available therefore President McIlroy requested the Clerk/Treasurer to hold this over until the February 1, 2016.

Motion by Trustee Latremore and seconded by Trustee Vary to accept the monthly departmental reports from Community Development, Court, DPW Department, Police Department, Water Department, and Treasurer as presented. Motion carried unanimously. The Code Enforcement report was not submitted. Deputy President Astafan stated he is surprised at the number of DWI's and suspended licenses on the Police Department reports.

Deputy President Astafan 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 Vary to approve payment of payrolls and bills as follows: General Fund \$173,060.26; Special Grant Fund \$198.74; Water Fund \$29,155.58; Sewer Fund \$18,220.12; Joint General Fund \$16,144.41; and Joint Capital Fund \$0. Motion carried unanimously.

PRESIDENT MCILROY UPDATE:

President McIlroy stated there will be a RACOG meeting January 26, 2016 at 7:00 p.m.; Joint Utility meeting on January 27, 2016 at 4:00 p.m.; and a CDBG meeting January 28, 2016 at 4:00 p.m. President McIlroy requested an Executive Session to discuss the employment history of two particular employees.

Ms. Amyot reminded the Board of the Tug Hill Commission annual government conference on March 31, 2016 at Jefferson Community College and encouraged them to register prior to March 1st to receive the \$50.00 price.

LIAISON REPORTS AND COMMENTS:

None.

MEDIA QUESTIONS:

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

EXECUTIVE SESSION:

Motion by Trustee Vary and seconded by Trustee Latremore to enter Executive Session at 6:40 p.m. to discuss the employment history of two particular employees. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Deputy President Astafan to resume Regular Session at 6:52 p.m. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Latremore to have Mark Roberts, who has been on medical leave due to a work related injury, complete the DPW agility testing at Lewis County General Hospital Rehabilitation prior to reporting to work and further compensate him until such testing is available. Motion carried unanimously.

ADJOURNMENT:

Motion by Trustee Smith-Spencer and seconded by Trustee Latremore to adjourn at 6:31 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy O'Shaughnessy
Village Clerk/Treasurer