

Regular Meeting of the Village of Carthage Board of Trustees
Held in the Board Room of the Carthage Municipal Building
June 20, 2016

ATTENDANCE:

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

Others: Kathy Amyot, Tug Hill Commissions; Ernie Prievo, Water Superintendent; Reginald Huber, Police Chief; Mark Gebo, Village Attorney; Elaine Avallone, Johnsons Newspapers; Chet Lyndaker, Linda Lyndaker, Timothy Cook (6:40 p.m.) and Norm Barkley (6:45 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 Latremore and seconded by Trustee Vary to approve the minutes of the June 6, 2016 regular meeting as presented. Motion carried unanimously.

PUBLIC FORUM:

Ms. Amyot stated the Twin Villages Swimming Pool will be opening soon and the Village of West Carthage will again be administering the program. Ms. Amyot stated a committee was formed last year to review the rules and regulations of the pool and further stated they plan to meet again this year to review on June 23, 2016 at 6:00 p.m. at the Village of West Carthage Municipal Building. Ms. Amyot stated the agreement for the Joint Planning Board has been signed and they are set to commence on July 1, 2016. Ms. Amyot stated all of the municipalities approved the addition of the Village of Deferiet to join RACOG and a revised IMA will be sent to Attorney Gebo for his review.

CORRESPONDENCE:

Motion by Trustee Latremore and seconded by Trustee Vary to permit the Carthage Area Chamber of Commerce to place a banner for the Fireworks Festival by the gazebo at the corner of State Street and Water Street providing the banner is removed after the event. Motion carried unanimously.

President McIlroy read the correspondence received from the Carthage Area Chamber on behalf of Ronald Compo requesting to waive the fee for the use of the restrooms at Farmers Market Pavilion. President McIlroy stated he spoke with Mr. Compo and advised him that he needed to submit correspondence from North Country Fellowship Church in order to waive the fee for use of the restrooms. Trustee Latremore asked who would be responsible for unlocking and relocking the restrooms and the Clerk/Treasurer stated the Chamber. Trustee Vary would like dates when Mr. Compo and his group plan to utilize the restrooms. Trustee Latremore suggested a security deposit be required.

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer to table the use of the restrooms at the Farmers Market Pavilion until President McIlroy receives more information from Mr. Compo. Motion carried unanimously.

President McIlroy read the request received from Attorney Timothy Farley's office on behalf of the Town of Wilna Housing Authority requesting better signage for the crosswalk from Long Falls Apartments to Rite Aid on Canal Street. President McIlroy stated a crosswalk sign is already posted on the Long Falls Apartment side of the street and further stated the railroad intends to work on the railroad tracks in the same vicinity. Chief Huber stated he spoke with the Kelly Bush, Town of Wilna Housing Authority Executive Director regarding more signage. Chief Huber stated Ms. Bush would

like a sign placed in the middle of the road like the ones on State Street. President McIlroy stated that is impossible as the railroad tracks are in the middle of Canal Street. President McIlroy stated he will contact Ms. Bush and requested the Clerk/Treasurer to hold this over until the July 18, 2016 meeting.

PUBLIC HEARING:

President McIlroy called the public hearing to order at 6:10 p.m. to consider the adoption of a local law to consider comprehensive amendments to Chapter A150 Article IV Personnel of the Village of Carthage Code to bring it up to date with the current personnel policies, procedures and practices of the Village. President McIlroy asked if there was anyone who wished to speak for or against the local law. Mr. Prievo stated he recently reviewed the proposed changes to the Personnel Policy and asked the Board to table the hearing as he would like to meet with the Board prior to adoption. Attorney Gebo suggested the Board adjourn the hearing. President McIlroy stated the proposed changes to the Personnel Policies were to bring them up to date. Mr. Prievo stated the proposed Personnel Policy changes conflict with the code book and the Clerk/Treasurer stated they were derived from the code book. President McIlroy asked two times if there was anyone else who wished to speak for or against the local law.

Motion by Deputy President Astafan and seconded by Trustee Latremore to adjourn the public hearing until the July 18, 2016 meeting at 6:10 p.m. Motion carried unanimously.

President McIlroy asked Trustee Smith-Spencer to set up a meeting to discuss Mr. Prievo's concerns with the proposed Personnel Policy updates to include Mr. Prievo, the Clerk/Treasurer, President McIlroy and Trustee Smith-Spencer.

CORRESPONDENCE:

President McIlroy read the correspondence received from National Grid regarding their program to reimburse municipalities up to \$50.00 per tree. President McIlroy requested the Clerk/Treasurer to forward the correspondence to the DPW Superintendent.

OLD BUSINESS:

At the February 16, 2016 meeting, the Board authorized Attorney Gebo to send a letter to Ablans Business Center regarding their Village Loan Fund loan.

Update 03/07/16: The Board has not received a response from Ablans Business Center therefore President McIlroy requested the Clerk/Treasurer to hold this over until the March 21, 2016 meeting.

Update 03/21/16: Attorney Gebo requested an Executive Session to discuss this matter.

Update 04/04/16: The Clerk/Treasurer stated Ms. Ablan has yet to respond. President McIlroy requested the Clerk/Treasurer to hold this over until the April 18, 2016 when Attorney Gebo is present.

Update 04/18/16: Attorney Gebo stated he has yet to receive a response from Ms. Ablan. Attorney Gebo stated the board has two choices; to accept the \$100.00 monthly payments, which does not cover interest on the loan or return the checks received and sue for the monthly payments. President McIlroy requested Attorney Gebo to return the checks and pursue court proceedings.

Update 05/02/16: President McIlroy stated the Board will continue with legal proceeding and will discuss the progress at the next meeting when Attorney Gebo is present.

Update 05/16/16: Attorney Gebo requested an Executive Session to discuss the financial history of a particular business. The Board authorized the Clerk/Treasurer to accept \$100.00 monthly payments.

Update 06/06/16: President McIlroy stated there is correspondence in an Executive Session file provided by Attorney Gebo.

Update 06/20/16: Attorney Gebo requested an Executive Session to discuss the employment history of a particular business. The Board authorized Attorney Gebo to sent correspondence to Ms. Ablan.

President McIlroy asked if Deputy President Astafan and Trustee Smith-Spencer had developed a policy regarding hardhat use at the DPW and Water Department and Deputy President Astafan responded he anticipates having information for the Board to review at the June 6, 2016 regular meeting.

Update 06/06/16: Deputy President Astafan stated the policy is a work in progress.

Update 06/20/16: President McIlroy stated we have a policy at the DPW which addresses wearing hardhats and requested Deputy President Astafan and Trustee Smith-Spencer to review and update. President McIlroy requested the Clerk/Treasurer to hold this over until the July 18, 2016 meeting.

At the May 16, 2016 meeting, Attorney Gebo stated he reviewed the agreement with Tyler Technologies for accounting software. Attorney Gebo explained it is an extensive agreement and suggested the Board wait until the timeframe required for the Springbrook accounting software has expired until signing this agreement. President McIlroy requested the Clerk/Treasurer hold this over until the June 6, 2016 regular meeting.

Update 06/06/16: President McIlroy requested the Clerk/Treasurer to hold this over until the June 20, 2016 meeting when Attorney Gebo is present.

Update 06/20/16: President McIlroy requested the Clerk/Treasurer to hold this over until the July 18, 2016 meeting.

At the June 6, 2016 meeting, President McIlroy encouraged Trustees to review the correspondence provided to them at the meeting regarding the report for the timber trespass on the Village Watershed Property and requested the Clerk/Treasurer to forward it to Attorney Gebo. Mr. Prievo stated Erik Hirschey will make himself available to speak with the Board and the Attorney regarding the trespass incident. Mr. Prievo stated Mr. Hirschey estimates approximately 135 trees have been cut which include 29 which were cut after Attorney Gebo sent Mrs. Lyndaker a letter informing her of their encroachment on Village property. Mr. Prievo stated he met with Mrs. Lyndaker's son who admitted cutting down the trees. Trustee Latremore suggested calling the Sherriff's Department and President McIlroy suggested seeking advice from Attorney Gebo.

Update 06/20/16: Attorney Gebo stated he received a telephone call from Mrs. Lyndaker regarding the cutting of the trees and stated she is in the audience with her son Chet. Mrs. Lyndaker expressed she read the article in the newspaper again and the allegations are not true. Mrs. Lyndaker stated no further trees were cut after they were notified. Mr. Lyndaker expressed he thought he could cut every other tree along the property line and he further stated he only cut every forth tree. Mrs. Lyndaker state they did not deliberately cut trees on Village property. President McIlroy stated Mr. Prievo and a Village employee walked the line and found more trees cut. After considerable discussion, President McIlroy requested Mr. Prievo and Mr. Hirschey to walk the borderline with the Lyndaker's. No action was taken therefore President McIlroy requested the Clerk/Treasurer to hold this over until the July 18, 2016 meeting.

The Board reviewed the current water shut off register which included seven properties with water shut off due to nonpayment.

President McIlroy read the correspondence received from Jim Gotham requesting to change the size of one of the baseball fields to accommodate a 60/90 field size for the Carthage Crush to use and potentially the Babe Ruth League and Carthage High School for games and practices. President McIlroy stated he attempted to speak to Mr. Gotham prior to the meeting to get more details. President McIlroy requested the Clerk/Treasurer to hold this over until the June 20, 2016 meeting.

Update 06/20/16: President McIlroy stated he spoke with Mr. Gotham and passed around the drawing of the proposed changes to the baseball field by the bleachers. President McIlroy stated he spoke all of the organizations who previously requested to use the baseball fields. Mr. Gotham worked out an agreement with the Carthage Revolution for use of the fields on Tuesday and Thursday evenings.

President McIlroy stated Mr. Gotham will do all of the work to change the field size under the supervision of the DPW Superintendent. Chief Huber suggested placing a screen in front of the recreation building window so it doesn't get broke. Attorney Gebo stated the Village should have an agreement with the Carthage Crush for liability purposes.

Motion by Deputy President Astafan and seconded by Trustee Latremore authorizing President McIlroy to sign the agreement developed by Attorney Gebo with the Carthage Crush to permit them to change the size of one of the baseball fields at the Carthage Park. Motion carried unanimously.

Mr. and Mrs. Lyndaker left the meeting at 6:35 p.m.

NEW BUSINESS:

Motion by Deputy President Astafan and seconded by Trustee Latremore to accept the Carthage Area Chamber summary of activities report for 2015 and further authorize payment in the amount of \$5,000.00 from the Village Loan Fund to promote business and industry activities throughout the Carthage Area. Motion carried unanimously.

Ms. Avallone left the meeting at 6:38 p.m.

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer authorizing President McIlroy to sign a letter of support for the MA&N Railroad application for funding under the Railroad Safety Infrastructure Improvement Grants program to assist with fixing the railroad crossings in the Village of Carthage. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Deputy President Astafan to formally approve the year-end budget transfers authorized at the May 16, 2016 regular meeting as follows:

A.1420.0400	Law Contractual Expenses	\$1,757.00	
A.1990.0400	Contingencies		\$3,554.00
A.5010.0100	Street Administration Personal Services	\$1,745.00	
F.1990.0400	Contingencies		\$ 133.00
F.8310.0422	Travel & Training	\$ 118.00	
G.1990.0400	Contingencies		\$ 227.00
G.8110.0100	Sewer Administration Personal Services	\$ 227.00	

Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary to authorize advertising for a sealed bid request for a Wheel Loader to be reviewed at the July 18, 2016 meeting.

Motion by Trustee Latremore and seconded by Trustee Vary to reject the bid received for the Infiltration and Inflow Study at Metro Paper as only one bid was received and further authorize re-advertising for a sealed bid request for the Infiltration and Inflow Study at Metro Paper to be reviewed at the July 18, 2016 meeting.

President McIlroy requested to hold the Water Superintendents request for an increase in the weekly water license stipend for Executive Session.

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer to approve the request of the Water Superintendent to reimburse employees for mileage to attend Laboratory Training Class in Watertown on June 29, 2016. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary to appoint Donald Foster to the Joint Planning Board effective July 1, 2016. Motion carried unanimously.

Motion by Trustee Vary and seconded by Trustee Latremore to approve a pro-rated final payment to Village of Carthage Planning Board members for the month of June 2016 and further send them a letter with their final payment thanking them for their service to the Village of Carthage. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer to approve the request of Joanne Lazore to hire Joshua Jackson as a part-time Recreation Assistant at a rate of \$9.00 per hour not to exceed eight weeks. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer to approve the DPW Superintendent's request to hire Jonathan Travis as Matthew Rapp declined the position, effective June 22, 2016 at a rate of \$9.00 per hour for 40 hours per week not to exceed 12 weeks. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary authorizing President McIlroy to sign an agreement with Hyde Stone to service the heating system at the Recreation Building. Motion carried with Trustee Smith-Spencer abstaining.

Motion by Deputy President Astafan and seconded by Trustee Latremore authorizing President McIlroy to sign an agreement with Hyde Stone to service the heating and air conditioning systems at the DPW Building. Motion carried with Trustee Smith-Spencer abstaining.

Motion by Trustee Smith-Spencer and seconded by Trustee Latremore to accept the monthly departmental reports from Code Enforcement, Community Development, DPW, Police Department, Water Department, and Treasurer as presented. Motion carried unanimously. The Court report was not submitted.

Trustee Smith-Spencer asked why the Police Department address garbage and lawns not mowed throughout the Village as she feels it is a Code Enforcement Officer issue. Chief Huber suggested a part-time position for property maintenance and Trustee Smith-Spencer agreed. President McIlroy stated he will look into it and to hold the discussion over until the July 18, 2016 meeting.

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. Deputy President Astafan suggested the department managers include a small statement as to what the purchases are for and the board agreed.

Motion by Deputy President Astafan and seconded by Trustee Latremore to request the Clerk/Treasurer have the department managers make a brief comment on their purchase orders as to what the purchase is for and where the purchase is going. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to approve payment of payrolls and bills as follows: General Fund \$158,103.74; Special Grant Fund \$5,198.74; Water Fund \$51,970.89; and Sewer Fund \$123,442.57. Motion carried unanimously.
Ms. Avallone returned to meeting at 7:04 p.m.

ATTORNEY GEBO UPDATE:

Attorney Gebo stated Timothy Farley, Attorney, is working on the paperwork for the sale of Cemetery Street Extension property to Slack Chemical Company. Attorney Gebo stated the CEO contacted him about an unsafe property at 780 West End Avenue.

Motion by Trustee Latremore and seconded by Trustee Vary to set an Evidentiary Hearing regarding 780 West End Avenue on July 18, 2016 at 5:30 p.m.

Attorney Gebo requested an Executive Session to discuss the financial history of a particular business.

PRESIDENT MCILROY UPDATE:

President McIlroy asked Attorney Gebo how we are progressing with ending the contract with Springbrook for accounting software and Attorney Gebo stated we are waiting for the allotted time to expire. Attorney Gebo stated Springbrook continues to bill the Village for the accounting program they never delivered. President McIlroy stated there is a CIDC meeting at Carthage Savings & Loan on June 22, 2016 at 4:00 p.m.; a CDG meeting at Carthage Savings & Loan on June 23, 2016 at 1:30 p.m.; a Twin Village Pool committee meeting June 23, 2016 at 6:00 p.m.; a ZBA meeting at the Town of Champion on July 6, 2016; and the next Village Board meeting is July 18, 2016 at 6:00 p.m. President McIlroy wished everyone a Happy 4th of July. President McIlroy stated the ZBA is meeting on July 6th to discuss a request for a sign variance for KC Nails at the corner of State Street and Church Street. President McIlroy stated they did not get a permit prior to placing the current signage and it exceeds current zoning within the Village.

Motion by Deputy President Astafan and seconded by Trustee Vary to have the Clerk/Treasurer send a letter to the Joint ZBA stating the Village Board is against granting a sign variance. Motion carried unanimously.

LIAISON REPORTS AND COMMENTS:

Deputy President Astafan stated he met with representatives from NYSDEC and Mr. Demmick, BC&A Engineer regarding the potential environmental issue at the WPCF and the meeting went very well. Deputy President Astafan stated Mr. Demmick will work with the NYSDEC to construct a plan to correct the potential environmental issue. Trustee Smith-Spencer requested an Executive Session to discuss the employment history of a particular employee.

MEDIA QUESTIONS:

Ms. Avallone stated she will follow up with the Clerk/Treasurer tomorrow regarding any questions she may have regarding the meeting.

Mr. Cook expressed he would like to have supervision at the Skate Park and for the equipment to be painted. Mr. Cook stated he is willing to volunteer his time to supervise the Skate Park. President McIlroy requested Mr. Cook to speak with Chief Huber regarding painting equipment at the Skate Park.

EXECUTIVE SESSION:

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to enter Executive Session at 7:10 p.m. to discuss collective bargaining with the NYS Teamsters regarding the Police Department; the employment history of a particular Water Department employee; the potential employment of a particular Police Officer; and the financial history of a particular business to include Mr. Prievo and Chief Huber. Motion carried unanimously.

Chief Huber was excused at 7:23 p.m.

Mr. Prievo was excused at 7:45 p.m.

Motion by Trustee Latremore and seconded by Trustee Vary to resume Regular Session at 8:13 p.m.
Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Latremore to hire Gabriel Feliz as a part time police officer to include sponsorship during his last seven days of the police academy, providing he signs a contract with the Village to work for the Police Department for a period of at least one year and further contingent upon completion of background check. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to increase the water license stipend for the Water Superintendent from \$30.00 per week to \$40.00 per week, which is equivalent to the DPW Union contract, effective the pay period commencing June 5, 2016. Motion carried unanimously.

ADJOURNMENT:

Motion by Trustee Latremore and seconded by Trustee Vary to adjourn at 8:16 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy O'Shaughnessy
Village Clerk/Treasurer