

Regular Meeting of the Village of Carthage Board of Trustees
Held in the Board Room of the Carthage Municipal Building
November 19, 2012

ATTENDANCE:

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

Others: Mark Gebo, Village Attorney; and three Participation in Government students.

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 Trustee Latremore and seconded by Trustee Vary to approve the minutes of the November 5, 2012 regular meeting as presented. Motion carried unanimously.

PUBLIC FORUM:

None

CORRESPONDENCE:

President McIlroy read the thank you letter received from Lori Borland, Carthage Area Chamber of Commerce Director, regarding the Village's contribution to the Holiday Parade.

OLD BUSINESS:

Christina Crawford submitted a letter requesting an exemption for her Therapy Dog so she can bring the dog to public events and cited Section E in the Village Local Law #3 which prohibits dogs from public events. Ms Crawford is seeking something in writing provided by the Village which specifically exempts her dog from the law. President McIlroy requested the Clerk/Treasurer to hold this issue until the November 19, 2012 regular meeting and forward the request to Attorney Gebo and Chief Huber for their review and recommendation.

Update 11-19-12: After discussion and per the advice of Attorney Gebo, President McIlroy requested the Clerk/Treasurer to send a letter to Ms. Crawford explaining her dog is only exempt from Village of Carthage Local Law 3, which imposes certain restrictions in having dogs on Village property when it is working and the Trustees will consider a future request pertaining to a specific event where the dog will provide therapy.

11-05-12: Daniel Trembley, DPW Superintendent provided a summary of the work which was completed at 204/206 North Washington Street which included pictures of the property. The information and cleanup cost was forwarded to Attorney Gebo to relay to Mr. Penwarden.

Motion by Deputy President Astafan and seconded by Trustee Latremore to give President McIlroy the authority to follow up with All Pest if Mr. Penwarden is unable to while he is here. Motion carried unanimously.

Update 11-19-12: President McIlroy read the memo submitted by the Clerk/Treasurer which stated Mr. Penwarden paid his outstanding water/sewer bill and also the bill for the cost to clean up his property which totaled approximately \$2,000.00. The memo further stated that Mr. Penwarden was remorseful and distributed his phone number to area residents if further issues arise.

10-1-12: President McIlroy explained he received an email from JCIDA in regards to the expired Mohawk Adirondack and Northern Rail (MANR) PILOT Agreement. Towns and Villages are not in favor of renewing the agreement because MANR owes municipalities due to not paying the PILOT. President McIlroy stated the DPW fixed the railroad crossing on Spring Street because MANR did not have the funds to do so therefore it cost Village tax payers approximately \$7,000.00 and more crossings need to be fixed. Attorney Gebo stated the Town is unable to place the railroad back on the tax roll unless JCIDA releases the property as they are a tax exempt organization.

Update 11-05-12: Attorney Gebo sent a letter to JCIDA stating the Village was not interested in renewing a PILOT with MANR due to their lack of payment in the past. JCIDA responded and stated they are in the process of deeding the railroad property back to MANR and further stated they do not feel this process is in the best interest of the community.

Update 11-19-12: Attorney Gebo explained that the railroad property is in the process of being deeded back to MANR.

NEW BUSINESS:

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer authorizing President McIlroy to sign the Substance Abuse Testing Agreement with Lewis County General Hospital Occupational Medicine to provide state mandated testing for employees who hold a Class B Drivers License. Motion carried unanimously.

The Treasurers Report was reviewed and there were no questions. The General Fund cash balance is \$1,554,468.69 with Reserves of \$171,202.99; Water Fund cash balance is \$326,885.12 with Reserves of \$109,673.30 and the Sewer Fund cash balance is \$133,837.02 with Reserves of \$52,551.89 the Joint Fund cash balance is \$84,871.64 with Reserves of \$387,635.75.

Motion by Trustee Smith-Spencer and seconded by Deputy President Astafan to approve payment of payrolls and bills as follows: General Fund P/R 11/08/12 and 11/15/12 \$23,644.73; Water Fund PR 11/08/12 and 11/15/12 \$4,571.14; Sewer Fund P/R 11/08/12 and 11/15/12 \$3,360.04; Joint Fund P/R 11/14/12 \$9,590.56. General Fund Abstracts, \$165,840.21; Water Fund Abstracts, \$41,275.68; Sewer Fund Abstracts, \$18,883.02; and Joint Fund Abstracts, \$0. Motion carried unanimously.

PRESIDENT McILROY UPDATE:

President McIlroy reminded the Trustees of the upcoming Annual Meeting and asked that they contact him if they would like their appointments changed. President McIlroy read an article which stated FEMA and NYS Department of Conservation recently conducted a flood plain study in the Village of Black River and it resulted in more properties included in the flood zone. President McIlroy asked Attorney Gebo if the Consolidated Health Board had different options for the Health Officer. Attorney Gebo stated he would look into it and get back to the board. There will be a Joint Water and Wastewater Board meeting on Wednesday, November 21, 2012 at 4:15 p.m. at the Village of West Carthage Municipal Building.

LIAISON REPORTS AND COMMENTS:

Deputy President Astafan requested Executive Session to discuss the employment history of a particular DPW person. Trustee Latremore asked the Clerk/Treasurer to speak to Lori Borland, Carthage Area Chamber of Commerce Director and ask that she include the Village dog ban in her promotional materials for upcoming community events.

ATTORNEY GEBO UPDATE:

Attorney Gebo received an email from First Niagara regarding their intent to renew the parking lot agreement. First Niagara's attorney will review and report back to Attorney Gebo. Attorney Gebo stated he is currently working on Union issues to get all Village employees on the same pay cycle. The police are cooperating and he is waiting to hear about the Waste Water Treatment Plant employees. It appears the DPW is not willing to conform.

MEDIA QUESTIONS:

None

EXECUTIVE SESSION:

Motion by Trustee Vary and seconded by Trustee Latremore to enter Executive Session at 7:25 p.m. to discuss the employment history of a particular DPW person and the employment history of a particular corporation and invite Attorney Gebo to attend. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Deputy President Astafan to resume regular session at 7:55 p.m.

Motion by Trustee Latremore and seconded by Trustee Vary for all non-union employees to paid bi-weekly effective the first payroll in January 2013. Motion carried unanimously.

Chief Huber approached the Clerk/Treasurer about purchasing new signs for the Municipal Building. The board liked the idea and President McIlroy asked the Clerk/Treasurer to obtain quotes and submit them at the next meeting on December 3, 2012.

ADJOURNMENT:

Motion by Trustee Smith-Spencer and seconded by Trustee Latremore to adjourn at 8:05 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy L. O'Shaughnessy
Village Clerk/Treasurer