

Regular Meeting of the Village of Carthage Board of Trustees  
Held in the Board Room of the Carthage Municipal Building  
February 21, 2012

**ATTENDANCE:**

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

**Guests:** Attorney Mark Gebo, Seven Participation in Government Students, and two guests.

**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 Smith-Spencer to approve the minutes of the February 6, 2012 regular meeting correcting the first motion for the approval of the minutes to read Trustee Vary instead of Trustee Latremore. Motion carried unanimously.

**PUBLIC FORUM:**

None.

**CORRESPONDENCE:**

President McIlroy read the request for consideration for a reduction of the 124 North Mechanic Street water/sewer bill in the amount of \$2,188.99 received from Scott Sauer. The board requested the Clerk/Treasurer to send a letter to Mr. Sauer advising him to contact Water Treatment Plant Operator, Ernie Prievo to assess the continuous leak situation at his apartment building.

**PUBLIC HEARING:**

Proof of notice having been furnished regarding the public hearing to consider a Franchise Agreement to Provide Cable Television Services between Village of Carthage and Time Warner Cable for a ten year period was called to order at 7:15 p.m. President McIlroy explained the proposed Franchise Agreement in greater detail. No one wished to address the board regarding the Franchise Agreement and on a motion by Trustee Latremore and seconded by Trustee Smith-Spencer the hearing was closed at 7:17 p.m. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Latremore to authorize President McIlroy to sign the Franchise Agreement to Provide Cable Television Services between Village of Carthage and Time Warner Cable. Motion carried unanimously.

**CORRESPONDENCE:**

President McIlroy read the request for consideration of the Disability Tax Exemption for Real Property of Persons with Disabilities and Limited Incomes from Nathalie Zecher. Attorney Gebo advised that Robert Ball, Code Enforcement Officer (CEO) is currently looking into this exemption to provide the board with more information prior to making a decision. The board requested the Clerk/Treasurer to send a letter to Ms. Zecher advising her that the board will notify her of their decision after they receive the necessary information from the CEO.

**OLD BUSINESS:**

Michael Astafan, Linda Smith-Spencer, Kathleen Latremore, Kristy O'Shaughnessy, and Wendy Oliver plan to attend the 23<sup>rd</sup> Local Government Conference on March 29, 2012 at Jefferson Community College which is sponsored by NYS Tug Hill Commission.

The board addressed the draft of the local law regarding dogs in public areas tailored by Attorney Gebo using the example from the City of Watertown. Attorney Gebo provided a copy of the local law enacted by the City of Watertown on January 17, 2012. Trustee Latremore reiterated her intent to prevent dogs from attending the Farmers Market of which Deputy President Astafan was in favor of. President McIlroy and Trustee Smith-Spencer want to extend the law to include all Special Events which occur within the Village. President McIlroy asked Attorney Gebo to further amend the draft of the local law under Section A. and forward the revised draft to the board for their consideration. No action was taken therefore the board asked the Clerk/Treasurer to hold this issue over until the March 5, 2012 regular board meeting.

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer authorizing President McIlroy to sign a release provided by Attorney Gebo for the Village to receive compensation for the Village of Carthage v. Gentry Russell and Walter Gurdak in regards to a damaged sewer line. Motion carried unanimously.

Carthage Coordinated Development Group, LLC is in the process of having their attorney develop the paperwork necessary for the Village to acquire the Village Green to include the maintenance of the property. Attorney Gebo spoke with Tim Farley who is finalizing the paperwork to complete the transfer of property. No action was taken therefore the board requested the Clerk/Treasurer to hold this issue over until the March 5, 2012 regular board meeting.

National Grid submitted an easement request for line relocation near Cemetery Street for safety purposes. Mark Gebo, Village Attorney; Michael Astafan, Village Deputy President; and John McHugh, Community Development Coordinator met with National Grid on February 15, 2012 to discuss the easement request. The group asked National Grid to explore other options for the guy wires and will have a report for the March 5, 2012 meeting. No action was taken therefore the board requested the Clerk/Treasurer to hold this issue over until the March 5, 2012 regular board meeting.

On February 6, 2012 the Trustees authorized President McIlroy to sign the letter of consent for the Carthage Central School Capital Project providing the Village is mandated to do so per the discretion of Attorney Gebo. Attorney Gebo later advised that the Village was not mandated to sign the letter of consent therefore the Village did not respond. Attorney Gebo stated because we did not respond, CCS becomes the lead agent for the environmental review by default.

#### **NEW BUSINESS:**

Motion by Deputy President Astafan and seconded by Smith-Spencer to adopt an Accessibility Plan for the Village to comply with Section 504 of the Americans with Disabilities Act (24 CFR Part 8). Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Smith-Spencer to authorize President McIlroy to sign necessary documents for the Environmental Review Process to comply with the 2011 CDBG award. Motion carried unanimously.

President McIlroy advised the Trustees to hold the applications for Police Officer provided by the Jefferson County Department of Human Resources to discuss during Executive Session.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to adopt the Responsible Use of iPads policy after including language that the user will be responsible for iPads damaged "through misuse or negligence". Motion carried unanimously.

The Treasurers Report was reviewed and there were no questions. The General Fund cash balance is \$1,049,507.68 with Reserves of \$149,877.36; Water Fund cash balance is \$158,769.71 with Reserves of \$46,786.78 and the Sewer Fund cash balance is \$125,535.95 with Reserves of \$30,451.79 the Joint Fund cash balance is \$14,580.20 with Reserves of \$388,055.46.

Deputy President Astafan and Trustee Smith-Spencer reviewed the monthly bills prior to the meeting and no concerns were noted.

Motion by Deputy President Astafan and seconded by Trustee Latremore to approve payment of payrolls and bills as follows: General Fund P/R 02/09/12 and 02/16/12 \$19,060.97; Water Fund, P/R 02/09/12 and 02/16/12 \$5,687.28; Sewer Fund, P/R 02/09/12 and 02/16/12 \$5,078.84; Joint Fund P/R 02/08/12 \$8,750.79 and General Fund Abstracts, \$4,876.28; Water Fund Abstracts, \$0; Sewer Fund Abstracts, \$0; and Joint Fund Abstracts, \$68,274.68. Motion carried unanimously.

**PRESIDENT McILROY UPDATE:**

At the February 6, 2012 meeting President McIlroy requested the Clerk/Treasurer to review the Village Code Book regarding the necessity of board approval for trainings sponsored by the Village and the Clerk/Treasurer confirmed that board approval is necessary.

President McIlroy explained that he met with Ernie Priervo regarding his job title because Jefferson County Human Resources (JCHR) determined that his Forest Management Assistant title is a competitive position according to Civil Service Rules and Regulations. President McIlroy stated the job duty is already included in Mr. Priervo's job description and recommend changing his title from Water Treatment Plant Operator to Water Superintendent and requested the Clerk/Treasurer to forward the necessary paperwork to JCHR for their approval.

President McIlroy stated the Police Department received a call regarding a stray dog and because of the stringent stipulations from Civil Service regarding the Dog Control Officer position; the position remains vacant. The caller offered to keep the dog but President McIlroy feels the Dog Control Officer position is an important service to Village taxpayers. President McIlroy spoke with Paul Smith, Town of Wilna Supervisor and Justin Taylor, Town of Clayton Supervisor regarding the dog control and also researched Ag & Market Laws. Mr. Taylor sent a letter to Robert Hagemann, Jefferson County Administrator because Jefferson County Dog Control will not pick up dogs and the Towns pay the County for service.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to formally terminate Officer Lucas Smith. Motion carried unanimously.

President McIlroy expressed there will be an EDCC meeting on Thursday, March 1, 2012.

**ATTORNEY GEBO UPDATE:**

Attorney Gebo received contact information for 1<sup>st</sup> Niagara Bank from the Clerk/Treasurer. Attorney Gebo requested Executive Session to discuss 1 personnel matter and Police Officer candidates.

**LIAISON REPORTS AND COMMENTS:**

Deputy President Astafan expressed he will look into the Dog Control issue at the County and will report back to the board at the meeting on March 5, 2012.

Trustee Latremore stated the one of the new street lights is not working.

**MEDIA QUESTIONS:**

None

**EXECUTIVE SESSION:**

Motion by Deputy President Astafan and seconded by Trustee Latremore to enter Executive Session at 8:15 p.m. to discuss qualifications of police officer candidates and one personnel issue.

Regular Session resumed at 9:14 p.m.

**ADJOURNMENT:**

Motion by Deputy President Astafan and seconded by Trustee Latremore to adjourn at 9:15 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy L. O'Shaughnessy  
Village Clerk/Treasurer