

1 Regular meeting of the Village of Carthage Board of Trustees  
Held in the Board Room of the Carthage Municipal Building  
July 21, 2008

Present: President G. Wayne McIlroy, Trustees, Michael Astafan, Kathleen Latremore and Bernard Frezza. Also attending – Attorney Mark Gebo

Absent: Trustee Rebecca Vary.

Guests: Kathy Amyot, Tug Hill Commission; Grinders owners, Michael and Michelle Tulley; Fulton Street residents, Barbara and Ryanna Allington, Joyce Hodkinson, Kathy Countryman, Shirley Exford, Yolanda Phillips and Letitia Runge; Arlene, Doug, Robbie, Jonathan and Jamie Murphy; John Pais, Wilna Housing Authority; Rick Tague, Bernier Carr Associates; and Jaime Huber.

President McIlroy called the meeting to order at 7:00P.M. followed by the Pledge of Allegiance to the Flag.

Motion by Kathleen Latremore and Seconded by Bernard Frezza to approve the minutes of the June 16, 2008 meeting as presented by the Clerk. Motion carried unanimously.

Police Sergeant David Gunderson read a June 18, 2008 letter prepared by Police Chief Reeve Rockhill regarding the gallant actions of Carthage Police Officer Reginald Huber. At the risk of serious physical injury to himself, and without fire protection equipment, Officer Huber entered a burning building at 600 South Washington Street and began the dangerous task of checking each and every apartment for sleeping residents. Officer Huber was able to locate one family still in bed sleeping, woke them and rushed them outside to safety. Officer Huber has distinguished himself with extraordinary conduct above and beyond the call of duty. Sergeant Gunderson presented Officer Huber with the Life Saving Award and pinned it to his uniform. President McIlroy thanked Officer Huber for his heroic act; Arlene Murphy thanked Officer Huber for entering her apartment to wake her son and twin grandchildren and bringing them to safety during the fire and Wilna Housing Director John Pais thanked Officer Huber as well as the department for their quick response not only preventing the possible loss of life, but further damage to their facility.

**PUBLIC FORUM:**

Michael and Michelle Tulley, owner of Grinders in Carthage, attended the meeting to inform the Board of an event they are hosting “Carthage Community Day”. The event is scheduled for August 23<sup>rd</sup> from 10am to 6pm. in the Grinders/Rite-Aid parking lot area, Turning Point Park and Condino Motors grass lot directly across State Street. The Tulley’s are requesting that the closure of State Street at the intersections of Water, Canal and Mechanic Streets from 8:30am to 7pm. They are also requesting Porta-jons and trash cans be placed in Turning Point Park for the day of the event. Several events are proposed. The event is free for vendors and patrons. President McIlroy asked if the businesses on State Street have been informed of the request to close off State Street. Mr. Tulley said he has talked with Stefano Magro and dropped off flyers to others. President McIlroy is also concerned over the railroad and contact being made with them. Trustee Astafan commended the Tulley’s for coming up with such an event adding that the Board should work with them and the Tulley’s should respond to the questions the President has presented. Mike is in favor of the event. Trustee Frezza is also in favor of the event but agrees that we need to know the railroad schedule. The downtown businesses should be happy with such an event being held downtown. John McHugh noted that parking will be available in the parking lot behind 256 State Street whereby people will be able to walk through to the downtown area; also the parking lot at the former fire site will be available for parking to downtown. President McIlroy stated that while the Board is in favor of the event, issues such as the railroad and the merchants thoughts need to be addressed. Also the Board will address the porta-jon and trash can questions. Information will be passed through the Clerk who will keep the Board informed.

**PUBLIC HEARING:**

Proof of notice having been furnished the public hearing on proposed Local Law #1 of 2008 was called to order at 7:20P.M. by President McIlroy. The Public Hearing has been called to consider an amendment to Article 135 of the Village Code to designate 24 parking spaces in the North Mechanic Street lot as parking by permit only. Upon explaining the law President McIlroy opened the hearing to the public.

Yolanda Phillips asked if this meant a person couldn’t park in the North Mechanic Street parking lot for an hour. President McIlroy explained that there will be 10 spaces still available for anytime parking. John McHugh explained that by doing this the other 10 spaces in the parking lot will be preserved for use by anyone. The parking by permit spaces will be used by tenants who will therefore not be parking in the other 10 spaces.

All persons desiring to be heard, having been heard, the hearing was closed at 7:25P.M.

Motion by Bernard Frezza and Seconded by Kathleen Latremore to adopt Local Law #1 of 2008, a law to designate 24 spaces in the parking lot on North Mechanic Street as parking by permit only.

**PUBLIC FORUM CONTINUED:**

Barb Allington, Fulton Street, in addition to several Fulton Street residents, attended the meeting to discuss problems they are having with persons on Fulton Street. Barb first explained her problem with trash that was put in her back yard by a tenant of her neighbor. She had previously contacted CEO Rick Soluri and he doesn't seem to do anything about the problem either. This issue has not been resolved through the Court system and Attorney Gebo advised Barb of her options. Secondly, Barb and her neighbors are experiencing fighting, drinking, and other issues with persons visiting on Fulton Street and/or are tenants in the house next to Barb. The Police arrive every time they are called, but nothing seems to be done about the problem. Last week there was fighting going on from 1:30 to 5:30am. President McIlroy said he will talk with the Chief but noted that residents will have to have these people arrested. Attorney Mark Gebo added that the police can't legally do anything unless there is proof provided to them of what has taken place. He suggested taking pictures or videos so that the officers can build a case. There are limitations on what the Village can do and the Police need the proof to back of the claims; residents need to have the persons arrested. Trustee Frezza said the Village should make a request for more patrols on Fulton Street and possibly get the State Police and County involved. Trustee Astafan said we need to have our Police spend as much time as possible on Fulton Street. President McIlroy will talk with the Chief and see what he can do.

Kathy Amyot reported on upcoming meetings and advised the Board that the final plan on the archeological assessment is forthcoming from the Hartgen group.

**CORRESPONDENCE:**

Motion by Michael Astafan and Seconded by Bernard Frezza to approve the request of Jennie Busch to close off Elm Street for a neighborhood block party. Motion carried unanimously.

President McIlroy said he has not had an opportunity yet to talk with the Rescue Squad regarding the issues they have addressed in their letter.

Upon reading the Chamber of Commerce letter the Board agreed to assist both the Chamber and the Tulley's with their Village events.

Motion by Michael Astafan and Seconded by Bernard Frezza to contribute to both the Chamber of Commerce events in the downtown park and the Tulley event providing a cost is established by both for the Boards review. Motion carried unanimously.

Motion by Kathleen Latremore and Seconded by Bernard Frezza to approve the use of the Village Gazebo on August 2, 2008, by Pastor Robert Slye for his annual sing along. Motion carried unanimously.

Discussion followed on the question by Kimberly Miller regarding the Village supplying water to her on West Street road if she decides to purchase the property. The property in question was annexed into the Village and therefore the Village has to supply the water. Water Superintendent Ernie Prievo will assess the cost to the Village to run the line across the road and discuss the options with Ms. Miller. The Department of Health will also have to be involved due to the proximity of the property to the filtration plant and the chlorine time.

**OLD BUSINESS:**

Discussion followed on the possible option of allowing residents to pay Village taxes in installments. Attorney Gebo has reviewed the law and the Village can only accept two installments. The Clerk suggested that if members wish to do this, payments be made in June and August and voiced her concerns over payments running into the school tax season. Also the County has some concerns over whether or not our software company can actually provide this service. The Clerk will continue to work on this option and gather more information. There is no Village in Jefferson County currently doing payments and all of the Clerks we've contacted said it will not be an option in their Village.

Trustee Latremore said she has talked with Tim Wright and he suggested a small marker for the Tawny Award. A location for the marker needs to be established.

NEW BUSINESS:

Rick Tague of Bernier, Carr and Associates addressed the Board on the bids opened and publicly read aloud by himself and the Clerk on July 15, 2008. The bids were as follows:

CONTRACT 1 – COURT ROOM

|                                      |              |
|--------------------------------------|--------------|
| Continental Construction, Gouverneur | \$398,837.00 |
| ConTech Building Systems, Gouverneur | \$442,000.00 |

CONTRACT 2 – RECREATION BUILDING

|                                      |              |
|--------------------------------------|--------------|
| Continental Construction, Gouverneur | \$174,367.00 |
| ConTech Building Systems, Gouverneur | \$199,000.00 |
| G.E.F. Restoration, Port Leyden      | \$205,000.00 |

CONTRACT 3 – COMBINED COURT AND RECREATION

|                                       |              |
|---------------------------------------|--------------|
| Continental Construction, Gouverneur  | \$569,000.00 |
| ConTech Building Systems, Gouverneur  | \$614,000.00 |
| Jordstat Construction, Alexandria Bay | \$521,756.00 |

Rick Tague stated that Jordstat is the low bidder under Contract 3, but the Wicks Law for Combined Contracts cannot exceed \$500,000 so he is recommending the following deducts which were included in the bids. #1, deletion of the sink and counter in the Jury Room; #3, the sprinkler system and #4, the sink, counter, cabinets in the kitchen of the recreation building. That would bring Jordstat's bid to \$499,061.00. In the meantime he will talk with CEO Rick Soluri to insure that the sprinkler system isn't required when the capacity of the court room is under 100 people. Also with the \$20,000 contingency built in, it is possible that items 1 and 4 can be added back by the end of the project.

Motion by Michael Astafan and Seconded by Bernard Frezza and carried to award the combined bid – Contract #3 to Jordstat Construction, Alexandria Bay with deletions #1, 3, and 4 for a final amount of \$499,061 with the recommendation of Bernier, Carr & Associates. Motion carried unanimously.

President McIlroy directed the Clerk to send a letter to Mrs. Anita Armstrong thanking her for her letter suggesting that the Village work towards getting a motel/hotel in our area. She also expressed concerns over use of the downtown park site by the Hospital. President McIlroy pointed out that the Village would certainly encourage anyone wanting to build a motel/hotel in Carthage, but there isn't anything the Village itself can do. As for the Park site, the Hospital is part owner of the property.

Motion by Kathleen Latremore and Seconded by Michael Astafan to approve the creation of three (3) additional MEO (Motor Equipment Operators) for the Village Department of Public Works. President McIlroy is hereby authorized to sign the Jefferson County Personnel Form for doing so. Motion carried unanimously.

Motion by Michael Astafan and Seconded by Kathleen Latremore to approve the Contact between the Village and the Department of Public Works as proposed and upon final approval and signing by the Department of Public Works and Village Attorney David Ferrara on the wording of same. Motion carried unanimously.

Motion by Kathleen Latremore and Seconded by Michael Astafan to approve payment of payrolls as follows: General Fund P/R #A6,7,8,9,& 10 \$29,368.10; Water Fund, #F6,7,8,9,& 10 \$3,228.06; Sewer Fund, #G7,8,9,&10 \$1,813.68; and Joint Fund, #J3,4, &5, \$10,981.21 and July General Fund Bills, \$69,753.28; Water Fund Bills, \$4,171.75; Sewer Fund Bills, \$43,455.18 and Joint Fund Bills, \$79,841.17. Motion carried unanimously.

ATTORNEY GEBO'S UPDATE:

Attorney Gebo will need an Executive Session for discussion on a personnel matter.

With the adoption of the Law on permit parking in the North Mechanic Street Parking Lot, Attorney Gebo presented members with a Resolution for setting the monthly and yearly fee for same.

Motion by Michael Astafan and Seconded by Kathleen Latremore to adopt the resolution on file as it relates to the fees for permit parking at the North Mechanic Street parking lot. Said fees will be at a monthly cost of \$5.85 or yearly cost of \$70.00 per space. Motion carried unanimously.

PRESIDENT MCILROY'S UPDATE:

President McIlroy said he hasn't had a chance to discuss water and court agreements with Supervisor Smith due to his surgery. He will contact him next week.

LIAISON REPORTS AND COMMENTS:

Trustee Latremore will ask CEO Rick Soluri to provide Trustee Astafan with a copy of the Maintenance law.

EXECUTIVE SESSION:

Motion by Kathleen Latremore, Seconded by Bernard Frezza to enter Executive Session at 8:40P.M. as requested by Attorney Gebo to discuss a personnel matter Motion carried unanimously.

Regular session resumed at 9:05P.M.

ADJOURNMENT:

Motion carried to adjourn at 9:05P.M.

Linda M. Weir, Village Clerk