

1 Regular meeting of the Village of Carthage Board of Trustees  
Held in the Carthage Municipal Building Board Room  
May 21, 2007 – 7P.M.

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

Guests: Jeremiah Papineau, CRT; Robert Brauchle, WDT; and 5 Participation in Government students.

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

Motion by Rebecca Vary and Seconded by Bernard Frezza to approve the minutes of the May 7, 2007 meeting as presented by the Clerk. Motion carried unanimously.

**PUBLIC FORUM:**

There was no one in attendance who wished to address the Village Board

**CORRESPONDENCE:**

Motion by Kathleen Latremore and Seconded by Bernard Frezza to approve the request of Courtney L. Pate and Mathew J. Hoppel to hold their marriage ceremony at Turning Point Park on the 15<sup>th</sup> day of September, 2007. Motion carried unanimously.

President McIlroy read letters from Don Brown, Vice President of the Long Falls Senior Tenant Association and John M. Pais, PHM, Executive Director of the Town of Wilna Housing Authority advising the Board of a safety hazard existing on the crosswalk over the railroad tracks on Canal Street between Long Falls Apartments and the Eckerd Plaza. President McIlroy asked Attorney Gebo if this is a responsibility of the Village or the Railroad. Attorney Gebo responded that the Village cannot fix problems on the Railroad Tracks and the letters should be referred to the Railroad and possibly NYS Department of Transportation. Attorney Gebo recalls talking with the DOT previously about this concern. President McIlroy agreed that the Village has sent letters previously on this concern to the railroad and DOT. President McIlroy asked Attorney Gebo to prepare a letter to the Railroad and ask them to respond to these concerns. The Clerk was instructed to send letters to Mr. Brown and Mr. Pais advising them of the steps we have taken.

**OLD BUSINESS:**

Discussion followed on the response provided by Chief Reeve Rockhill on the handicapped parking space requested by the owner of Hairy Business on North Mechanic Street. Chief Rockhill recommended that the Board provide a handicapped parking space in the Municipal Parking Lot next to this business and further suggested that the Board have the Planning Board do a study on the needs within the Village for Handicapped Parking. Trustee Astafan agreed with the Chief's recommendation and suggested that a one hour time limit be put on the handicapped space also. Trustees Latremore and Frezza agree with the recommendation to have the Planning Board review the handicapped needs in the Village.

Motion by Bernard Frezza and Seconded by Kathleen Latremore to refer the review of the handicapped needs to the Planning Board. Motion failed 2 – 3.

Motion by Rebecca Vary and Seconded by Michael Astafan to accept the recommendation of the Police Chief to provide a handicapped parking space in the first space in the Municipal Parking Lot on North Mechanic Street, limiting the time to one hour. Further, a public hearing will be held on June 18<sup>th</sup> at 7:10 P.M. for the purpose of discussing a local law designating the handicapped parking space. Motion carried unanimously.

Motion by Bernard Frezza and Seconded by Kathleen Latremore to request that the Planning Board undertake a study on parking within the Village to include handicapped parking needs. Motion carried unanimously.

Trustees Astafan and Vary explained to members that following a lengthy review of the Outdoor Furnaces, it is their recommendation that a law establishing a ban within the Village on the furnaces, be adopted.

Motion by Michael Astafan and Seconded by Rebecca Vary to hold a public hearing on June 18, 2007, for the purpose of discussing a local law on banning of outdoor furnaces within the Village of Carthage. The public hearing will be held immediately following the handicapped parking law hearing, Motion carried unanimously.

**NEW BUSINESS:**

Motion by Michael Astafan and Seconded by Bernard Frezza to hold a public hearing on June 18, 2007, immediately following the hearing on banning of outdoor furnaces, for the purpose of discussing a local law on eliminating the two 15 minute parking spaces on Brown Street and removal of signs. Motion carried unanimously.

Motion by Kathleen Latremore and Seconded by Rebecca Vary to authorize President McIlroy to sign the Restore New York Grant Agreement, as reviewed by Attorney Gebo, on behalf of the Village of Carthage. Motion carried unanimously.

Motion by Michael Astafan and Seconded by Bernard Frezza to authorize President McIlroy to sign the PILOT agreement with Michael Treanor, Buckley Realty, LLC on behalf of the Village of Carthage, as reviewed by Attorney Gebo. Motion carried unanimously.

Following Attorney Gebo's explanation and recommendation on the PILOT Agreement between the Village of Carthage and the DiMarco Carthage LLC group, the following Resolution was approved by the Village Board.

Motion by Rebecca Vary and Seconded by Michael Astafan to approve the PILOT agreement between the Village of Carthage and the DiMarco Carthage LLC group and authorizes the Village Treasurer of the Village of Carthage to sign same on behalf of the Village. Motion carried unanimously.

WHEREAS, the Trustees of the Village of Carthage (the "Village Trustees") wish to support the Project, as defined below, to be developed on behalf of DiMarco Carthage LLC (the "Company") by and through its affiliates, The DiMarco Group, LLC and DiMarco Carthage Housing Development Fund Corporation (the "HDFC"), a member of the Company organized pursuant to the Not-for-Profit Law and Article XI of the Private Housing Finance Law (the "PHFL"); and

WHEREAS, the Project consists of (i) the acquisition of a parcel of land located at Emjay Way in the Village of Carthage, Town of Wilna, Jefferson County, New York (the "Land"); (ii) the construction of forty (40) units of housing for persons of low income thereon (the "Improvements"); and (iii) the acquisition and installation therein and thereon of certain machinery, equipment, furniture, fixtures and other tangible personal property (the "Equipment" and collectively with the Land and the Improvements, the "Project"); and

WHEREAS, the HDFC will acquire title to the Land, as nominee for the Company, and will convey its equitable and beneficial interests in the Land to the Company in furtherance of the development of the Project; and

WHEREAS, Section 577 of the PHFL authorizes the Village Trustees to exempt the Project from real property taxes; and

WHEREAS, the Company and the HDFC will be willing to enter into a PILOT Agreement whereby they will make annual payments in lieu of taxes to the Town (including the Village) as set forth in the PILOT Agreement presented to the Village Trustees for approval; and

WHEREAS, to make the Project economically feasible, the Village Trustees are willing to grant the Project an exemption from real property taxes for a period of twenty (20) years to the extent authorized by Section 577 of the PHFL subject to and conditioned upon the execution and delivery of the PILOT Agreement;

NOW THEREFORE BE IT

RESOLVED, by the Village Trustees,

Section 1. The Village of Carthage is pleased to acknowledge full support of the acquisition, development and construction of the Project.

Section 2. The Village Trustees hereby exempt the Project from real property taxes, including school taxes, to the extent authorized by Section 577 of the PHFL for a period of twenty (20) years commencing on the first tax status date following the date hereof and approves the proposed PILOT Agreement between the Town of Wilna, the Village of Carthage, the Company and the HDFC, in substantially the form present at this meeting, providing for twenty (20) payments as set forth in such agreement.

Section 3. The Treasurer of the Village of Carthage is hereby authorized to execute and deliver the forgoing PILOT Agreement on behalf of the Village of Carthage

Section 4. This resolution shall take effect immediately.

Motion by Michael Astafan and Seconded by Kathleen Latremore to approve the budget transfers as presented by the Village Clerk and on file in the Official Minute Folder of the Board of Trustees. Motion carried unanimously.

Bids on the Timber Sale at the Reservoir were opened and publicly read aloud by the Forester, Erik Hirschey on Friday, May 18, 2007. Bids were as follows:

|                         |             |                                |             |
|-------------------------|-------------|--------------------------------|-------------|
| Great Lakes Land, LLC   | \$73,212.00 | Aden Brothers Logging          | \$52,110.00 |
| MJ Lyndaker Logging LLC | \$70,200.00 | Lyndaker Timber Harvesting LLC | \$41,705.00 |
| Daniel Lyndaker         | \$69,925.00 | Blue Ox Logging                | \$31,250.00 |
| Joe Lyndaker            | \$67,015.00 |                                |             |

Motion by Kathleen Latremore and Seconded by Michael Astafan to accept the recommendation of Forester Erik Hirschey for awarding the tree sale bid to the highest bidder, Great Lakes Land, LLC in the amount of \$73,212.00. Motion carried unanimously.

Motion by Kathleen Latremore and Seconded by Rebecca Vary to approve payment of Payrolls #A62 & 63, \$24,591.67; #F62 & 63, \$3,631.63; #G62 & 63, \$2,120.28 and #J25,\$6,916.27 and Abstracts #A12, \$94,367.60; #F12, \$12,712.30; #G12, \$5,355.97; and #J12, \$58,802.63 and further approved, remainder of bills to be paid by years end. Motion carried unanimously.

#### ATTORNEY GEBO'S UPDATE:

Attorney Gebo informed members that he has reviewed the A.I.A. from Independent Contractors regarding the work on the Bramans property and concurs with President McIlroy signing same. The only change in the Contract, as noted by Trustee Astafan, will be that the Village provide power to the Contractor since there is no Village power in that area.

Attorney Gebo reported that he has concluded his review of the Grant agreement on the Buckley Building and it is ready to be approved for President McIlroy's signature.

Motion by Michael Astafan and Seconded by Rebecca Vary to authorize President McIlroy to sign the Grant agreement with Treanor Realty, LLC on the Buckley Building improvements. Motion carried unanimously.

#### PRESIDENT MCILROY'S UPDATE:

President McIlroy requested that the Clerk prepare a letter to NYS DOT regarding the trees they planted on North School Street. The trees never blossomed this year and appear to be dead. President McIlroy would like the state to take a look at them and replace them.

The Community Picnic meeting is scheduled for 6PM on the 24<sup>th</sup> ; the Farmers Market will open on Friday the 25<sup>th</sup>.

President McIlroy has a personnel issue for Executive session.

#### LIAISON REPORTS:

Trustee Astafan reported that he has discussed the generator hook-up for the Municipal building with an electrician and should have a quote by the next meeting.

Trustee Vary informed the Board that with her schooling schedule completed she will now be able to attend the RACOG meetings once again and thanked Kathy for filling in for her. Becky also noted that she and Kathy Amyot will be meeting with someone in June who can hopefully do the archeology study on Guyotts Island.

President McIlroy congratulated Trustee Vary for passing all her tests.

Trustee Frezza said there is an upcoming RACOG meeting on trails. There is a lot of activity at the Park and corrected his error on the speed limit at the park – it is 15MPH. As a reminder Trustee Frezza said that users of the skateboard park must have signed waivers. Trustee Frezza also has a personnel issue for Executive Session.

Trustee Latremore also has a personnel matter for Executive Session and reminded members of the Memorial Day Parade.

#### EXECUTIVE SESSION:

Motion by Kathleen Latremore and Seconded by Rebecca Vary to enter Executive Session at 7:40P.M. for the purpose of discussing contract several personnel issues. Motion carried unanimously.

Regular session resumed at 8:47P.M.

Motion by Bernard Frezza and Seconded by Kathleen Latremore to hire Dustin Prievo for the recreation program at an hourly rate of \$7.15 an hour. Motion carried unanimously.

#### ADJOURNMENT:

Motion carried to adjourn at 8:48 P.M.

Linda M. Weir, Village Clerk