

Regular meeting of the Village of Carthage Board of Trustees
Held in the Carthage Municipal Building Board Room
August 20, 2007 – 7P.M.

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

Guests: Church Street Residents: Mr. & Mrs. Ronald Swartout; Mr. & Mrs. Norman Madore; George Kamide; and two others; Kathy Amyot, Tug Hill Commission; 8 workers from Carthage Area Hospital; Rick Soluri, Carthage Code Enforcement Officer; Jeremiah Papineau, CRT; and Robert Brauchle, WDT.

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 Michael Astafan to approve the minutes of the July 16, 2007 meeting as presented by the Clerk. Motion carried unanimously.

PUBLIC FORUM:

Kathy Amyot informed members of a September 26, 2007 RACOG meeting at the Town of Champion where a recommendation regarding zoning amendments will be heard.

CORRESPONDENCE:

President McIlroy, referring to a letter received from Carthage Area Hospital CEO, Walter Becker, informed those in attendance that Trustee Frezza sent him an email stating that he is opposed to making any portion of Hospital Drive or West Street, "tobacco free". Trustee Rebecca Vary, who works at the hospital has also elected not to speak for or against the request.

Speaking on behalf of the hospital employees in attendance, Nancy Johnson, CAH Housekeeping staff, asked what would be asked of the Village next if smoking were to be banned on Hospital Drive and West Street; would we be told we can't smoke on any of the streets? What about the rights of smokers? President McIlroy asked if they were aware of neighbors complaining about the cigarette butts in front of their homes? Nancy responded that she checked the area on West Street and it appeared to be cigarettes thrown out of a vehicle; there were also McDonald wrappers and a child's story book there also. Most of the employees use Hospital Drive as the smoking site. Debra Herzig, CAH cooking staff, stated that there use to be an area behind the hospital to smoke where no one could see them and it wasn't a problem for others. Visitors are also complaining that there is no place to smoke. President McIlroy asked if there would be a way that smokers could police the area and not leave the butts on the roadway. Nancy agreed that the butts should be picked up and while she and others from the hospital may do that, visitors may not. Attorney Gebo suggested a "no littering" sign and President McIlroy suggested a butt can and that employees police all of the cigarette butts.

Trustee Michael Astafan explained that while he is a non smoker and allergic to smoke, he doesn't believe you could pass a law or regulation expecting people who have smoked all their lives to stop smoking. While the hospital has the right to regulate smoking on hospital property, Trustee Astafan believes they should provide a place for employees to smoke. He further hopes that the smokers will be able to police themselves. Trustee Kathy Latremore said she too is opposed to restrictions.

President McIlroy stated that with the discussion being held by members, it appears that the Board will not be responding to Mr. Becker's request for making smoking restrictions on West Street or Hospital Drive.

Motion by Kathleen Latremore and Seconded by Michael Astafan to accept the resignation of Police Officer Steven Watkins, with regrets. Motion carried unanimously.

Motion by Kathleen Latremore and Seconded by Rebecca Vary to approve the request of Jason Farrell and Tonya Fraga to hold their wedding at Turning Point Park on September 1, 2007 a 10:00 A.M.. Motion carried unanimously.

PUBLIC HEARINGS:

Proof of notice having been furnished, the Public Hearing on Proposed Local Law #6 was called to order by President McIlroy at 7:11P.M. President McIlroy explained that the purpose of the new Law is to regulate parking on Church Street.

When asked by Mr. Swartout, President McIlroy stated that basically there will be no parking on the left side of the Street and parking as designated on the right side.

Resident Norman Madore asked if it would be possible to have the spaces where parking is allowed, painted. President McIlroy stated that usually the only parking spaces that are painted are on State Street.

All persons desiring to be heard, having been heard, the Public Hearing was closed at 7:18P.M.

Motion by Rebecca Vary and Seconded by Michael Astafan and carried to adopt Local Law #6 of 2007, designation of parking on Church Street. Motion carried unanimously.

Proof of notice having been furnished, the Public Hearing on Proposed Local Law #7 was called to order by President McIlroy at 7:19P.M. President McIlroy explained that the purpose of the new Law is to provide the Village with a system for background checks on all new employees being hired by the Village.

There was no one in attendance who wished to address the law with the Board.

All persons desiring to be heard, having been heard, the Public Hearing was closed at 7:20P.M.

Motion by Michael Astafan and Seconded by Rebecca Vary to adopt Local Law #7 of 2007, adopting a system for background checks on all new employees being hired by the Village. Motion carried unanimously.

OLD BUSINESS:

President McIlroy informed the Board that Peter Pike called today on behalf of Bill Durdel, Baldwin Real Estate, to advise the Board that he was unable to attend tonight's meeting and requested that the Board wait until a meeting in September to discuss the water meter situation at the 801 site. President McIlroy said that last Monday there was a meeting of himself, Trustee Michael Astafan, Clerk Linda Weir and Water Superintendent Ernie Prievo to discuss the proposal presented by Mr. Durdel. The committee was agreeable that the Village should stay with their current water policy as is. It was noted that while neither has made a formal statement, both Lowville and West Carthage are not changing their policy.

Trustee Vary said she is willing to go with the recommendation of the committee. The Water Superintendent and Clerk have more insight into this than any of us.

Motion by Rebecca Vary and Seconded by Kathleen Latremore to accept the recommendation of the committee to deny the request of Baldwin Real Estate and continue with our water policies as they currently are. Motion carried unanimously.

NEW BUSINESS:

Code Enforcement Officer Rick Soluri asked to meet with members in Executive Session to discuss a couple of enforcement issues.

Trustee Latremore asked members for input on a proposed law for recreational vehicles that are being parked on Village streets. Attorney Gebo said the Board needs to define what they wish to regulate – what time frame there will be, etc. He suggested “not powered on their own or self motorized”. Trustee Latremore said her main focus is on non motorized; such as pull behind trailers. Attorney Gebo will draft something for the Board's review.

Motion by Michael Astafan and Seconded by Kathleen Latremore to change the title of our Recreation employee from Recreation Director to Recreation Attendant. Motion carried unanimously.

The next meeting of the Board will be Tuesday, September 4th due to the Monday holiday.

Motion by Michael Astafan and Seconded by Rebecca Vary to approve the lease and service agreements with the Carthage Area Chamber of Commerce as prepared by Attorney Gebo. Motion carried unanimously.

Motion by Michael Astafan and Seconded by Kathleen Latremore to approve the one year Library Contract in the amount of \$5,000 as budgeted. Motion carried unanimously.

Motion by Michael Astafan and Seconded by Rebecca Vary to approve the Northern Employee Assistance Services Contract as presented at a cost of \$400 a year. Motion carried unanimously.

Motion by Kathleen Latremore and Seconded by Michael Astafan to approve the expansion of WD #4 (Town of Champion), to include property at 36851 NYS Rt. 26, as recommended by the Joint Water Board. Motion carried unanimously.

Motion by Kathleen Latremore and Seconded by Rebecca Vary to approve payment of Payrolls #A9, 10, 11, 12, 13 & 14 \$71,669.41; #F9, 10, 11, 12, 13, & 14, \$11,314.00; #G9, 10, 11, 12, 13, & 14, \$3,656.52 and #J3, 4, 5, 6, \$31,558.47 and Abstracts #A2, \$76,764.08; #F2, \$7,827.94; #G2, \$1,264.72; #J2, \$94,782.26. Motion carried unanimously.

ATTORNEY GEBO'S UPDATE:

Attorney Gebo advised members that he has the license agreement with Karen and Brian Brennan completed for members and the Brennan's review. Also, Water Superintendent Ernie Prievo requested information on a resident using Park property for a storage building. Attorney Gebo believes it's a policy issue and asked the Board if this is something they wish to do. Members were not receptive to the request or a policy on same.

Motion by Michael Astafan and Seconded by Rebecca Vary to deny the request to build a storage building at the site of the water towers on recreation property. Motion carried unanimously.

Attorney Gebo has a collective bargaining issue for Executive Session.

PRESIDENT MCILROY'S UPDATE:

President McIlroy presented members with upcoming meeting dates.

LIAISON REPORTS:

Trustee Astafan informed the Board that the electrician John Spicer has completed the generator hookup and is now coordinating with National Grid to switch the lines. The Municipal building will be without power for a couple of hours.

Trustee Vary informed the Board that the Hartgen group will be here next week to inspect the Long Falls Park site.

Trustee Latremore informed the Board that paving has begun and is ongoing.

EXECUTIVE SESSION:

Motion by Kathleen Latremore and Seconded by Rebecca Vary to enter Executive Session at 7:55P.M. for the purpose of discussing a personnel matter; a collective bargaining issue; and enforcement issues. Motion carried unanimously.

Code Enforcement Officer Rick Soluri was invited to attend the session.

Regular session resumed at 8:45P.M.

Motion by Rebecca Vary and Seconded by Michael Astafan to approve the contract with individual Police Officers, as prepared by Attorney Gebo, as it regards reimbursement of training expenses if they leave the Villages employment before the end of the three year period. Motion carried unanimously.

Motion by Rebecca Vary and Seconded by Michael Astafan to hold a public hearing on Monday, September 17, 2007 for the purpose of discussing proposed Local Law #8 of 2007 as it relates to an administrative fee for enforcement of the grass mowing law in the Village. Motion carried unanimously.

ADJOURNMENT:

Motion carried to adjourn at 8:46 P.M.

Linda M. Weir, Village Clerk