

Regular Meeting of the Village of Carthage Board of Trustees
Held in the Board Room of the Village of Carthage Municipal Building
November 20, 2017

ATTENDANCE:

Members: President G. Wayne McIlroy; and Trustees Linda Smith-Spencer, Rebecca Vary and Marco Franchini. Deputy President Michael Astafan was excused.

Others: Edgar Countryman, DPW Superintendent; Mark Gebo, Village Attorney; Elaine Avallone, Johnson Newspapers; Mickey Dietrich, Tug Hill Commissions; Julie Johnson, Jasmine Combs and Daniel McCullough.

CALL TO ORDER:

President McIlroy called the meeting to order at 6:00 p.m. followed the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES:

Motion by Trustee Vary and seconded by Trustee Smith-Spencer to approve the minutes of the October 16, 2017 regular meeting as presented. Motion carried unanimously.

PUBLIC FORUM:

None.

CORRESPONDENCE:

Ms. Johnson explained the Operation Joy program for military families who have spouses stationed overseas. Operation Joy is a free nonprofit program which provides professional family photographs to soldiers who are stationed overseas. Ms. Johnson rented the Recreation Building on November 11, 2017 and requested reimbursement of the fee due to her nonprofit status and benefit of the program to local military families.

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini to refund Ms. Johnson the \$50.00 Recreation Building rental fee due to her nonprofit status and no cost benefit afforded to local military families.

Motion by Trustee Vary and seconded by Trustee Franchini to approve the request of the Carthage Lions Club and Carthage Elks Lodge for a \$100.00 contribution toward the Ninth Annual Community Thanksgiving Feast Celebration that will take place on Thursday, November 23, 2017 at the Carthage Elks Lodge which is included in the fiscal year 2018 budget.

President McIlroy read the correspondence received from Habitat for Humanity regarding Braman's Block progress.

President McIlroy read the correspondence received from the New York State Department of Transportation regarding the results of the traffic study of the intersection of South James Street and State Street which identified no correctable actions. President McIlroy asked the Clerk/Treasurer to send Ms. Bracy a letter informing her of the results of the study.

President McIlroy read the resignation letter submitted by Donald Foster from the Planning Board. President McIlroy asked the Board if they had any suggestions for an appointment to the position and all responded they did not. President McIlroy suggested Kathleen Latremore as she has a lot of experience with the Village from being on the Village Board for many years.

Motion by Trustee Vary and seconded by Trustee Smith-Spencer to appoint Katheen Latremore as the representative from the Village of Carthage on the Town of Wilna Joint Planning Board to complete the term of Donald Foster which expires December 31, 2021. Motion carried unanimously.

President McIlroy stated the Town of Wilna Planning Board minutes dated October 4, 2017 and October 18, 2017 are included for the Board's information.

OLD BUSINESS:

At the December 19, 2016 meeting, the Board declared an emergency to remove the building at 302-306 North Mechanic Street as the structure is severely damaged and unsafe.

Update 01/17/17: President McIlroy stated the building has been knocked down and the debris is currently being removed.

Update 02/21/17: President McIlroy stated we are still waiting for the bill from GYMO for the removal of 302-306 North Mechanic Street. Deputy President Astafan stated the vacant property maybe marketable to the surrounding property owners. Attorney Gebo expressed if the costs to remove the building were re-levied on the Village taxes; the new owner would need to negotiate with the Village to remove the lien on the property.

Update 03/20/17: President McIlroy stated all of the expenses have been received and paid for this property in the amount of \$60,932.00. President McIlroy asked Attorney Gebo if he spoke with Jefferson County about the Village acquiring the property and Attorney Gebo stated he will check with the County and report back to the Board. The Board authorized the Clerk/Treasurer to transfer funds from the Village Blight Fund in the amount of \$60,932.00 and further set up a repayment schedule of five years.

Update 04/17/17: Attorney Gebo stated he spoke with the County attorney and a letter was sent requesting the property be turned over to the Village. Since the last meeting, a bill was received from DANC to dispose of the construction debris at the Rodman Landfill in the amount of \$9,743.97 and the Board revised the previous resolution for 302-306 North Mechanic Street to include the additional \$9,743.97 for a total of \$70,675.97 and further authorizes the Clerk/Treasurer to transfer funds from the Village Blight Fund to the General Fund and further set up a repayment schedule of five years.

Update 05/15/17: Attorney Gebo stated Jefferson County removed the property from the tax auction with the intent of turning the property over to the Village. Attorney Gebo further stated that any proceeds received over what the Village spent to remove the buildings on the property need to be turned over to the County.

Update 06/20/17: Attorney Gebo expressed that he is waiting for the paperwork from the County attorney for the property transfer.

Update 07/17/17: Attorney Gebo stated he is still waiting for the paperwork from the County attorney.

Update 08/21/17: Attorney Gebo state he will contact the County attorney regarding the status of this property.

Update 09/18/17: Attorney Gebo stated the County is willing to turn over 302-306 North Mechanic Street providing the Village forwards 10% of the proceeds received for the sale of the property, up to \$1,000.00 of which the Board agreed to do.

Update 10/16/17: Attorney Gebo stated President McIlroy signed the agreement with Jefferson County and he is awaiting an executed contract from Jefferson County.

Update 11/20/17: Attorney Gebo continues to wait for an executed contract from Jefferson County.

At the September 18, 2017 meeting, the Board approved the request of the Carthage/Wilna Fire District to periodically push the snow banks back at the Carthage/Wilna Fire Department when time permits and Attorney Gebo stated he would draft a shared services agreement.

Update 11/20/17: President McIlroy read the correspondence received from the Carthage/Wilna Fire District informing the Village that they have been presented with other options for the snow bank issue; therefore a shared services agreement is no longer necessary.

NEW BUSINESS:

The Board reviewed the Water/Sewer Cut Off Register dated November 14, 2017 which contained 144 accounts.

Motion by Trustee Smith-Spencer to authorize President McIlroy to sign the Interpreting Service Agreement with Aurora of CNY to provide required interpreting services for the Village Court. Motion carried unanimously.

Motion by Trustee Vary and seconded by Trustee Smith-Spencer to adopt Resolution 8 of 2017 as follows:

RESOLUTION WITH REFERENCE TO AUTHORIZING LUMP SUM MUNICIPAL SNOW & ICE AGREEMENT EXTENSION FOR 2019/20 SEASON WITH STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION

WHEREAS, The Village of Carthage has previously entered into a Lump Sum Municipal Snow and Ice Agreement with NYSDOT, and

WHEREAS, the existing agreement expires June 30th of 2019 and the Village wishes to enter into an agreement to extend the fixed sum municipal snow and ice agreement for 2019/2020, and

WHEREAS, The NYSDOT has provided a draft agreement for consideration by the Village setting forth the lump sum payment amount including dollars./lane mile, the number of lane miles and the contract adjustment worksheet.

BE IT RESOLVED AS FOLLOWS:

1. The Village of Carthage Village Board hereby authorizes extending the existing Lump Sum Municipal Snow and Ice Agreement for the 2019/2020 season with the NYSDOT.
2. That the President, or in his absence, Deputy President, is hereby authorized to enter into such extension, and to execute any and all documents, contract, funding disbursements, agreements and instruments necessary to bring about this action.
3. That this resolution shall take effect immediately

The foregoing resolution was duly adopted unanimously.

Motion by Trustee Franchini and seconded by Trustee Vary to formally authorize President McIlroy to sign the NYS Water Infrastructure Improvement Act grant for the WPCF capital project in the amount of \$1,687,500.00. Motion carried unanimously.

Motion by Trustee Vary and seconded by Trustee Smith-Spencer authorizing President McIlroy to sign the CDBG Budget Modification for the WPCF capital project to transfer funds from administrative to capital improvements. Motion carried unanimously.

Motion by Trustee Vary and seconded by Trustee Smith-Spencer authorizing President McIlroy to sign and IMA with Jefferson County Stormwater Coalition for Municipal Separate Storm Sewer Systems (MS4s) for the period January 1, 2018 – December 31, 2022. Motion carried unanimously.

Motion by Trustee Franchini and seconded by Trustee Vary to authorize the Clerk/Treasurer to send correspondence to employees, NYS Workers Compensation Fund, NYS Disability, and NYS Teamsters informing them that the Village of Carthage has not opted to provide New York State Paid Family Leave Benefits at this time. Motion carried unanimously.

Motion by Trustee Vary and seconded by Trustee Smith-Spencer to approve the request of Young Explosives Corporation to display fireworks after the Holiday Parade on December 8, 2017 at 7:30 p.m. near Dock Street as they provided proof of insurance, pyrotechnician certification, and copy of license to deal in or manufacture explosives. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini to table the discussions regarding Metro Paper water/sewer billing from 2010 – present and Metro Paper infiltration and inflow billing until the December 18, 2017 meeting as more information is needed. Motion carried unanimously.

Motion by Trustee Franchini and seconded by Trustee Vary to permit the Clerk's Office to close on Friday, November 24, 2017 and Tuesday, December 26, 2017 of which the employees will use personal and/or vacation time to account for the days. Motion carried unanimously.

Motion by Trustee Vary and seconded by Trustee Smith-Spencer to permit the Clerk/Treasurer to attend the quarterly North Country Clerk/Treasurer Association meeting on Friday, December 15, 2017 in Clayton to include mileage reimbursement. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini authorizing President McIlroy to sign a Promissory Note for Retention of Business in Crisis with JB's Meat Shop/John I. Bushey in the amount of \$35,000.00 of which \$25,000.00 will be payable upon closing and \$5,000.00 increments payable upon documentation of need, submission of financial statements, payments are current, and reviewed by the Village Loan Committee with an interest rate of 5% for sixty months and further utilize funds in the Village Loan Fund. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to accept the Monthly Departmental Reports as presented by the CEO, Court, DPW, Treasurer, Police, and Water. Motion carried unanimously. The Community Development report was not submitted.

Trustee Smith-Spencer reviewed the monthly bills and bank statements including reconciliations prior to the meeting. The documents were available at the meeting.

Motion by Trustee Smith-Spencer and seconded by Trustee Vary to approve payment of payrolls and bills as follows: General Fund \$262,224.29; Special Grant Fund \$298.11; Water Fund \$61,704.13; and Sewer Fund \$96,353.49. Motion carried unanimously.

ATTORNEY GEBO:

Attorney Gebo stated the Clerk/Treasurer forwarded documentation received from the US Census Bureau stating an Annexation with a Local Law effective date December 17, 2010 and a Deannexation with a Local Law effective date August 20, 2012 were not implemented according with state law. Attorney Gebo stated he has attempted to contact the US Census Bureau to discuss their determination but has been unsuccessful. Attorney Gebo expressed he hopes to have an answer for the Board at their December 18, 2017 meeting. Attorney Gebo requested an Executive Session to discuss a pending litigation.

Mr. Dietrich reviewed the monthly announcements for RACOG and forwarded a copy to the Clerk/Treasurer.

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini authorizing the Board to review and sign the Taxes Remaining Unpaid and Due and return to Jefferson County in the base tax amount of \$147,352.84, penalties of \$11,788.23, for a total of \$159,141.07. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Vary authorizing President McIlroy to sign the agreement with Niagara Mohawk to place holiday decorations on utility poles for the period November 20, 2017 – January 20, 2017 and further send a certificate of liability insurance to them. Motion carried unanimously.

President McIlroy stated students from Carthage Central School 12 Honors program presented a check to the Village of Carthage for their Summer Recreation Program in the amount of \$1,030.50 and asked the Clerk/Treasurer to send them a thank you letter for their generosity.

President McIlroy showed the Board the plaque the Village received from the Carthage Area Chamber of Commerce for the Village support over the last year.

PRESIDENT MCILROY UPDATE:

President McIlroy reminded the Board that the Organizational Meeting will be on December 4, 2017 and suggested to hold the meeting at 4:15 p.m.

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer to change the meeting time of the Organizational Meeting on December 4, 2017 from 6:00 p.m. to 4:15 p.m. Motion carried unanimously.

President McIlroy stated at a WPCF, Mayor Burto suggested reviewing the Villages' sewer use laws to ensure they conform to each other. President McIlroy asked Attorney Gebo if he would work with West Carthage's attorney.

Motion by Trustee Smith-Spencer and seconded by Trustee Vary authorizing Attorney Gebo to work with Jim Burrows, West Carthage attorney, to review the sewer use laws for both Villages. Motion carried unanimously.

President McIlroy stated he received a phone call from the owners of the Schermerhorn building on State Street requesting an additional parking permit for their tenants. President McIlroy reminded the Board that they granted a parking permit to the Schermerhorn's last year.

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer to authorize an additional parking permit for the Schermerhorn building. Motion carried unanimously.

LIAISON REPORTS AND COMMENTS:

None.

MEDIA QUESTIONS:

Ms. Avallone asked for clarification of items discussed throughout the meeting.

EXECUTIVE SESSION:

Motion by Trustee Smith-Spencer and seconded by Trustee Vary to enter Executive Session at 6:48 p.m. to discuss a pending litigation. Motion carried unanimously.

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer to resume Regular Session at 7:15 p.m. Motion carried unanimously.

ADJOURNMENT:

Motion by Trustee Vary and seconded by Trustee Smith-Spencer to adjourn at 7:15 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy O'Shaughnessy
Village Clerk/Treasurer