

Organizational Meeting of the Village of Carthage Board of Trustees  
Held in the Board Room of the Carthage Municipal Building  
December 4, 2017

**ATTENDANCE:**

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

**Others:** Edgar Countryman, DPW Superintendent; Mark Roberts, Timothy Steiner, Tyler Pominville, DPW/Water Department employees.

**CALL TO ORDER:**

President McIlroy called the meeting to order at 4:15 p.m. followed by the Pledge of Allegiance to the Flag.

**NEW BUSINESS:**

Motion by Deputy President Astafan and seconded by Trustee Vary to adopt the 2018 Regular Meeting Schedule as presented and further authorize the Clerk/Treasurer to post the schedule on the website and bulletin board in the Municipal Building. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini to adopt the 2017 annual appointments as follows:

Clerk/Treasurer:	Kristy O'Shaughnessy
Deputy Clerk:	Wendy Oliver
Justice Court Clerk:	Lori Borland
Associate Court Justice:	Raymond Taylor
DPW Superintendent:	Edgar Countryman
Water Superintendent:	Ernest Priervo
Police Chief:	Reginald Huber Jr.
Historian:	Laura Priervo
Registrar:	Kristy O'Shaughnessy
Deputy Registrar:	Wendy Oliver
Village Attorney:	Mark Gebo
Fair Housing Officer:	Michael Astafan

Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Vary to adopt Resolution 9 of 2017 as follows:

**Designation of Official Newspaper Resolution**

**WHEREAS** the Board of Trustees for the Village of Carthage have determined that the "Carthage Republican Tribune" and/or the "Watertown Daily Times" aka Johnson Newspapers shall be designated at the official newspaper.

**NOW THEREFORE BE IT RESOLVED:**

Section 1. That the Board of Trustees does hereby designate the "Carthage Republican Tribune and/or the Watertown Daily Times" as the official newspaper for any/all legal notice deemed necessary.

Section 2. That this Resolution shall take effect immediately.

The foregoing resolution was duly adopted unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Vary to adopt Resolution 10 of 2017 as follows:

### **Mileage Allowance Resolution**

**WHEREAS** the Board of Trustees for the Village of Carthage has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village of Carthage who use their personnel automobiles while performing their official duties on behalf of the Village.

**NOW THEREFORE BE IT RESOLVED:**

Section 1. That the Board of Trustees shall approve reimbursement to such officers and employees at the rate allowable by the Internal Revenue Service at the time the mileage expense incurred.

Section 2. That this resolution shall take effect immediately upon approval.

The foregoing resolution was duly adopted unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Vary to adopt Resolution 11 of 2017 as follows:

### **Attendance at School, Conferences and Meetings Resolution**

**WHEREAS** there is to be held during the coming official year a) the New York State Conference of Mayors' Annual Meeting and Training School; b) The New York State Conference of Mayors' and Fall Training School for Fiscal Officers and Municipal Clerks; c) New York State Association of City and Village Clerks' workshops; d) North Country Association of Village Clerk's and Clerk/Treasurer's meetings;

**WHEREAS** it is determined by the Board of Trustees for the Village of Carthage that attendance by certain municipal officials and employees at one or more of these meetings, conferences, or schools, benefits the municipality:

**NOW THEREFORE BE IT RESOLVED:**

Section 1. That the following officers and employees are hereby authorized to attend the schools, conferences, and /or meetings as listed above; President, Trustees, Clerk /Treasurer, Chief of Police, Water Superintendent, and Department of Public Works Superintendent.

Section 2. That this resolution shall take effect immediately upon approval.

The foregoing resolution was duly adopted unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Vary to adopt Resolution 12 of 2017 as follows:

### **Designation of Official Depositories Resolution**

**WHEREAS** the Board of Trustees for the Village of Carthage has determined that Village Law 4-412(3)(2) requires the designation of banks or trust companies for the deposit of Village of Carthage monies:

**NOW THEREFORE BE IT RESOLVED:**

Section 1. That the Board of Trustees does hereby designate the following institutions as official depositories of all moneys received by the Village Clerk / Treasurer and Receiver of Taxes: Key Bank

Section 2. That this Resolution shall take effect immediately.

The foregoing resolution was duly adopted unanimously.

Motion by Deputy President Astafan and seconded by Trustee Vary to adopt the Review of the Official Village of Carthage Policies contained within the Village of Carthage Code Book as follows:

#### **§ A150-15. Claims for payment.**

All claims against the Village of Carthage, submitted by the claimant and accompanied by itemized vouchers, must be presented to and acted upon by the Village Board. The Village Clerk is authorized to pay certain bills in advance of Board approval such as bills for utilities, payrolls, and bills carrying a discount. Such bills shall still be submitted for the Boards review, along with the itemized vouchers, at the second Village Board meeting of the month.

#### **§ A150-16. Signing of checks.**

All checks against Village accounts must be signed by the Village President or in his absence, the Vice President of the Village as well as the Village Clerk/Treasure or in her absence, the Deputy Clerk/Treasurer.

**§ A150-17. Investment policy.**

Pursuant to the authority granted it in § 4-408 of the Village Law, the Village Board of Trustees of the Village of Carthage does hereby authorize the Chief Fiscal Officer, the Village Treasurer of the Village of Carthage, to temporarily deposit or invest monies of the Village of Carthage which are not required for immediate expenditure.

A. Authorized investments:

(1) All Village funds, including proceeds of obligations and reserve funds, in:

(a) Certificates of deposit issued by a bank or trust company authorized to do business in New York State;

(b) Time deposit accounts in a bank or trust company authorized to do business in New York State;

(c) Obligations of New York State.

(2) All funds except reserve funds may be invested in:

(a) Obligations of agencies of the Federal Government if principal and interest are guaranteed by the United States; or

(b) With the approval of the State Comptroller, in revenue anticipation notes or tax anticipation notes of other governments.

(3) Only reserve funds of the Village of Carthage may be invested in obligations of the Village of Carthage.

B. All other officials of the Village of Carthage receiving money in their official capacities must deposit such funds in money market or other accounts approved by the Village Treasurer.

C. The Board of Trustees of the Village of Carthage is authorized to enter into repurchase agreements with qualified financial institutions in accordance with General Municipal Law provisions related to such repurchase agreements and New York State Comptroller guidelines after review of any such agreement by counsel. The Board of Trustees is further authorized to direct the Village Treasurer or other Chief fiscal Officer of the Village to implement the terms of such agreements without the need for further consultation.

D. Conditions: All investments made pursuant to this investment policy shall comply with the following conditions:

(1) Collateral.

(a) Demand deposits. Demand deposits shall be fully secured by insurance of the Federal Deposit Insurance Corporation. No demand deposits shall be maintained in an account or institution in an amount that exceeds the insurance limits of Federal Deposit Insurance Corporation coverage.

(b) Certificates of deposit.

[1] Certificates of deposit shall be fully secured by insurance of the Federal Deposit Insurance Corporation or by obligations of New York State or obligations of the United States or obligations of federal agencies, the principal and interest of which are guaranteed by the United States or obligations of New York State local governments. For amounts exceeding Federal Deposit Insurance Corporation coverage limits the Village Treasurer shall require a pledge of appropriate obligations as collateral. In such case the required collateral shall be delivered to the Village of Carthage or a bank designated as a custodial bank by the Village Board of Trustees.

[2] The market value of collateral, where required, shall at all times equal or exceed the principal amount of the certificate of deposit in excess of Federal Deposit Insurance Corporation coverage.

(c) Collateral shall not be required with respect to the direct purchase of obligations of New York State, obligations of the United State and obligations of federal agencies, the principal and interest of which are guaranteed by the United States Government.

(2) Delivery of securities. Payment shall be made by or on behalf of the Village of Carthage for obligations of New York State, obligations the principal and interest of which are guaranteed by the United States, United States obligations, certificates of deposit and other purchased securities upon the

delivery thereof to the Village of Carthage or, where designated by the Board of Trustees, a custodial bank.

(3) Written contracts. A written contract shall be required with any bank designated by the Board of Trustees as a custodial bank.

(4) Designation of custodial bank. If determined by the Village Board of Trustees to be appropriate, the trust company of a bank chartered by the State of New York may be designated by the Village Board of Trustees to act as custodian of the investments of the Village of Carthage. However, securities may not be purchased through any such custodial bank unless that custodial bank places the necessary collateral with a third-party custodial bank so designated by the Board of Trustees.

(5) Financial strength of institutions.

(a) All financial institutions with which the Village deals must be creditworthy. Their financial statements must be reviewed at least annually by the Chief Fiscal Officer to determine satisfactory financial strength or the Chief Fiscal Officer may use credit rating agencies to determine creditworthiness of such financial institutions. Concentrations of Village investments in any financial institutions should be avoided.

(b) Investments in time deposits and certificates of deposit are to be made with banks or trust companies. Their annual reports should be reviewed by the Chief Fiscal Officer to determine satisfactory financial strength.

(6) Operations, audit and reporting.

(a) The Village Treasurer shall authorize the purchase and sale of all securities.

(b) The Village Treasurer will undertake to purchase and sell securities and certificates of deposit through a competitive or negotiated process involving telephone solicitation of at least three bids for each transaction.

(c) The Village Treasurer shall maintain or cause to be maintained a proper record of all bonds, notes, securities or other evidences of indebtedness held by the Village for the purpose of investment. Such record shall at least, identify the security, the fund for which held, the place where kept and entries shall be made therein showing date of sale or other disposition and the amount realized therefrom.

(d) Within 120 days of the end of the fiscal year, the Village Treasurer shall prepare and submit to the Village Board of Trustees bank digests for each quarter, an annual investment report, recommendations for change in these investment guidelines and such other matters as is deemed appropriate.

(e) The Village Board of Trustees shall review and approve the annual investment report, if practicable, at its July meeting.

(f) The Village Board of Trustees shall review and amend these investment guidelines as necessary.

(g) The provisions of these investment guidelines and any amendments hereto shall take effect prospectively, and shall not invalidate the prior selection of custodial bank or banks, or any prior investments made.

#### **§ 150-17.1- Fund Balance Policy.**

A. Purpose. The Village Board recognizes that the maintenance of a fund balance is essential to the preservation of the financial integrity of the Village and is fiscally advantageous for the Village and the taxpayer. This policy establishes goals to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and similar circumstances.

B. Definitions. Fund balance is a measurement of available financial resources and is the difference between total assets and total liabilities in each fund. GASB Statement 54 distinguishes fund balance classified based on the relative strength of the constraints that control the purposes for which specified amounts can be spent. Beginning with the most restrictive constraints, the fund balance consists of restricted and unrestricted classifications further broken down in individual components:

Restricted Fund Balance Components:

- 1) Nonspendable – amounts that are not in a spendable form (e.g., inventory) or are legally or contractually required to be maintained intact (e.g., permanent fund principal).
- 2) Restricted – amounts that can be spent only for the specific purposes stipulated by external parties either constitutionally or through enabling legislation (e.g., grants, donations, or reserves).
- 3) Committed – amounts that can be used only for the specific purposes determined by a formal action of the Board of Trustees. Commitments may be changed or lifted only by referring to the formal action that imposed the constraint originally (e.g., the board's commitment in connection with future construction projects).

Unrestricted Fund Balance Components:

- 4) Assigned – amounts intended to be used by the government for specific purposes. Intent can be expressed by the Village Board or by a designee to whom the governing body delegates the authority. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund.
- 5) Unassigned – includes all amounts not contained in other classifications and is the residual classification of the general fund only. Unassigned amounts are available for any legal purpose.

D. Policy. It is the policy of the Village of Carthage to achieve and maintain an unassigned fund balance in the general fund of not less than three months worth of expenditures. In conjunction with the budget process, the minimum unassigned fund balance for the forthcoming fiscal year is calculated as follows:

$$(\text{Total Expenses} - \text{Contingencies} - \text{Reserves} - \text{Debt}) \times 3 \text{ months} = \text{Unassigned Fund Balance}$$

E. Policy administration.

- 1) If the unassigned fund balance falls below the goal, the Village Board shall develop a restoration plan to achieve and maintain the minimum unassigned fund balance using the following guidelines:
  - a) Replenish the desired levels in the following fiscal year budget.
  - b) When not possible, develop a plan to replenish the desired level not to exceed three fiscal years.
- 2) If the unassigned fund balance exceeds the goal, the Village Board shall reduce the excessive unassigned fund balance using the following guidelines:
  - a) Purchase necessary equipment and capital outlay expenditures or other one time expenditures.
  - b) Reduce debt principal if permitted by funding source ahead of schedule.
  - c) Finance reserve funds.

F. Annual review. The Village Board will annually review all restricted and unrestricted fund balance components in conjunction with budget preparations. This policy will be reviewed during the annual meeting.

**§ A150-18. Procurement policy.**

A. Policy. It is the policy of the Village of Carthage to, wherever possible, secure the lowest possible price for the purchase of goods and services required by the Village. It is the intention of the Village Board and its specific direction to all department heads who have authorization or authority to procure goods and/or services that the following procedures must be followed to assure that uniform quotes for goods and services are received and that the lowest responsible provider is obtained.

B. Determination of whether bids are required. The first step in the process of the procurement of goods and services shall be to determine whether or not the goods or services are subject to competitive bidding requirements under § 103 of the General Municipal Law. If the procurement of the goods or services is subject to competitive bidding, and not subject to any exemption, then competitive bidding requirements must be strictly adhered to. In the event that a determination is made that procurement of goods and services is not subject to competitive bidding, then the procedures outlined below are to be followed.

C. County or state contracts. Whenever practicable, the county or state contract price shall be reviewed and utilized if it is in fact the lowest responsible price for the item to be purchased.

D. Request for proposals. Where the goods or services sought to be purchased are not subject to competitive bidding nor being purchased under county or state contract, the procuring agent for the Village shall request proposals from at least two providers of the goods or services. Written quotes shall be requested for all purchases that exceed \$5,000 but are not otherwise subject to competitive bidding requirements or being purchased under county or state contracts. Where at all possible, the procurement agent for the Village shall attempt to obtain a minimum of two quotations from responsible providers for any goods or service sought. Any response to a request shall be in writing to be considered if the cost of the goods or service exceeds \$5,000.

E. Award of purchase. Once a reasonable time has been given for a response to the request for quotes, the procurement agent for the Village shall review all responses received and render a written report recommendation. The award of the purchase shall be made to the lowest responsible quotation received. Where an award is sought to be made to a provider other than the lowest responsible provider, a written recommendation providing the reason for the same must be provided to the Village Board and the award may not be made until the Village Board so approves it.

F. Exceptions.

(1) Emergencies. In the event of an emergency, the procedures outlined above need not be adhered to strictly. The Village and/or its procurement agent shall, however, take all reasonable efforts under emergency circumstances to assure that goods and services are purchased from the lowest possible provider.

(2) Unique goods or services. Where there are a limited number of providers for particular goods or a particular service, the Village and/or its procurement agent need only solicit those providers who can actually provide such service or goods. Where the service to be provided is unique, such as the case of professional services, the procurement procedures outlined above need not be adhered to, at the election of the Village Board. Where the goods to be provided are unique and available through only one provider, the procurement procedures outlined above need not be adhered to, at the election of the Village Board.

(3) Budgeted items. Budgeted items approved by the Board will require only submission of oral quotes to the Clerk and/or Trustee providing the purchase order.

G. Annual review. In conjunction with budget preparations, the Village of Carthage shall annually review this policy and procedure. All department heads are required to submit comments on the procedure simultaneously with their budget submission each budget year.

#### **§ A150-24. Fixed-assets policy.**

A. The Village Clerk/Treasurer is in charge of recording the fixed assets of the Village. The purpose of the fixed-assets policy is to establish guidelines for the Clerk/Treasurer to follow in recording the purchase price of assets of the Village of Carthage as to whether they are to be capitalized or expensed.

B. All fixed-asset purchases are to be treated as complete units. If a purchase is less than \$2,500, it will be expensed. If a purchase exceeds \$2,500, it shall be recorded by the Village Clerk/Treasurer as a fixed asset and a file card prepared listing the expenditure and the pertinent information to include the cost.

#### **§ A150-41 Use of Village Vehicles.**

With the exception of on-duty police officers who reside in the Village, employees are prohibited from driving any village-owned vehicle to their residences except while performing official job duties at their residence. All Village vehicles are to be left in their designated storage area at the close of each working day or shift.

#### **§ A150-43.1 Harassment prohibited policy.**

A. The Village is committed to providing a work environment that is free of discrimination. Actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age, religion, handicap, or any other legally protected characteristic will not be tolerated. As an example, sexual

conduct (both overt and subtle) can serve to create an offensive work environment and is thus prohibited.

B. Any individual who has reason to believe that he or she is the victim of impermissible harassment should promptly report the facts of the incident to his or her supervisor or to the Village Clerk. Oftentimes a statement made in jest can nonetheless be offensive. Please report such incidents immediately. A prompt investigation will be conducted, and the Village will take appropriate corrective action where it is warranted.

C. If you feel that appropriate action has not been taken, you may apply to the Village Board by letter for a further review. The Village Board shall as a group meet with you and take whatever further action, if any, it feels is warranted to remove hostility from the workplace.

Motion carried unanimously.

The Clerk/Treasurer stated she will forward the applicable policies to employees for their review.

President McIlroy presented his Liaisons Appointments as follows:

G. Wayne McIlroy, President - Police Liaison; RACOG Board Member; WPCF/Joint Water Board Member; and MS4 Representative (Alternate Edgar Countryman).

Michael Astafan, Trustee - Deputy President; DPW Liaison; WPCF Chairman; Joint Water Board Member; and Review of Bills.

Rebecca Vary, Trustee – Recreation and Code Enforcement Liaison; WPCF Board Member and RACOG Board Member.

Marco Franchini, Trustee – Buildings/Grounds Liaison.

Linda Smith-Spencer, Trustee – Water Department Liaison; WPCF Board Member; Joint Water Board Member; and Review of Bills.

Village Loan Committee Appointments – G. Wayne McIlroy, Michael Astafan, Derek Davis, Steve Gamble, Teri Ellis, and Sarah Bullock.

#### **ANY OTHER BUSINESS WHICH MAY COME BEFORE THE BOARD:**

Motion by Trustee Smith-Spencer and seconded by Trustee Vary to set a public hearing on December 18, 2017 at 6:10 p.m. to consider the adoption of a local law to amend Chapter A150 with respect to the New York State Paid Family Leave Act. Motion carried unanimously.

Deputy President Astafan expressed that Trustee Smith-Spencer requested the Water Department/DPW employees to come to the meeting today to present their version of an on-call schedule for both the Water Department and DPW. Trustee Smith-Spencer previously met with the DPW Superintendent and the Water Superintendent and requested that they create a schedule for the Water Department/DPW employees so they are aware of which department they will be working in and when they are on call. Trustee Smith-Spencer stated the Superintendents were unable to develop a schedule and they asked the Board to come up with something of which Trustee Smith-Spencer presented a schedule to the DPW Superintendent. Deputy President Astafan stated he received a call from Mr. Roberts who stated that Mr. Steiner developed a schedule the employees feel will work better as the schedule they were presented had them on call for four weeks straight. Mr. Steiner presented the schedule to the Board which places the effected employees on call for two weeks straight and has the employees switching call teams in DPW. After considerable discussion, President McIlroy requested Trustee Smith-Spencer and Deputy President Astafan to review the schedule presented by Mr. Steiner and schedule a meeting with the effected employees. Deputy President Astafan and Trustee Smith-Spencer scheduled the meeting for Friday, December 8, 2017 at 12:30 p.m. at the Municipal Building.

#### **MEDIA QUESTIONS:**

None.

**ADJOURNMENT:**

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini to adjourn at 4:44 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy O'Shaughnessy  
Village Clerk/Treasurer