

Regular Meeting of the Village of Carthage Board of Trustees
Held in the Board Room of the Village of Carthage Municipal Building
December 18, 2017

ATTENDANCE:

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

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

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 Deputy President Astafan to approve the minutes of the November 20, 2017 regular meeting as presented. Motion carried unanimously.

Motion by Trustee Vary and seconded by Deputy President Astafan to approve the minutes of the December 4, 2017 organizational meeting as presented. Motion carried unanimously.

PUBLIC FORUM:

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

Motion by Trustee Vary and seconded by Deputy President Astafan to have Mr. Dietrich complete the paperwork for the Village to opt into the New York Alerts program and further have Mr. Dietrich coordinate with Chief Huber. Motion carried unanimously.

President McIlroy stated he intends to work with Mr. Dietrich to obtain parks and recreation funding for the trails at the Carthage Park.

PUBLIC HEARING:

President McIlroy called the public hearing to order at 6:12 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. President McIlroy asked two times if anyone in the audience wished to speak for or against the local law. With no one speaking, there was a motion by Deputy President Astafan and seconded by Trustee Vary to close the public hearing at 6:13 p.m.

Motion by Trustee Vary and seconded by Deputy President Astafan to adopt Local Law 7 of 2017 as follows:

A local law to amend Chapter A150 of the Village Code with respect to New York's Paid Family Leave Act.

Article 1. - Statement of Authority. The Board of Trustees of the Village of Carthage, pursuant to the authority granted it under Article 4 of the Village Law and Sections 10 and 20 of the Municipal Home Rule Law hereby enact as follows:

Article 2. - Statement of Purpose and Findings. The Board of Trustees of the Village of Carthage is aware that New York State has recently passed legislation known as the Paid Family Leave Act). The Board of Trustees is further aware that municipalities are automatically exempt

from such law unless they opt to provide the benefits provided by that act. It is the purpose of this local law to amend the Village of Carthage Policy in the Village of Carthage Code Chapter A150 to indicate that the Village of Carthage is not providing benefits under New York's Paid Family Leave Act.

Article 3. - Enactment. The Board of Trustees of the Village of Carthage hereby amends its Code to add Section 150-48.4 New York Paid Family Leave Act as follows:

The Village of Carthage shall not provide benefits under the New York Paid Family Leave Act.

Article 4. Severability. If any part of this Chapter shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this Chapter.

Article 5. Effective Date. This local law shall take effect upon filing with the New York State Department of State.

The foregoing local law was adopted unanimously.

CORRESPONDENCE:

President McIlroy read the correspondence from Cub Scout Pack 39 stating they planned to attend the meeting. President McIlroy stated maybe the weather kept the Cub Scouts from attending the meeting.

Motion by Deputy President Astafan and seconded by Trustee Vary authorizing Carthage Cub Scout Pack 39 to use the Recreation Building for an overnight campout from January 13, 2018 to January 14, 2018 and waive the fees, providing the event doesn't conflict with other scheduled events. Motion carried unanimously.

President McIlroy read the Certificate of Appreciation received from the Carthage Elks Lodge #1762 and Carthage Lions Club for the Village's contribution to the ninth annual Thanksgiving Dinner.

Motion by Trustee Vary and seconded by Deputy President Astafan to approve the request of Mary Jane Harvey regarding the consumption of alcohol at the Recreation Building during their event on December 24, 2017 providing no glass containers are used. Motion carried unanimously.

President McIlroy read the correspondence received from New York State Department of Public Service regarding their winter outreach program.

Attorney Gebo explained the correspondence received from the Supreme Court of the State of New York County of Jefferson regarding the foreclosure of 2015 tax liens by proceeding in rem pursuant to article eleven of the real property tax law by the County of Jefferson.

President McIlroy stated the Town of Wilna Planning Board minutes dated December 6, 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.

Update 12/18/17: Attorney Gebo said the Jefferson County Board of Legislature approved the transfer of the property on November 14, 2017 and the deed should be forthcoming.

At the November 20, 2017 meeting, 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.

Update 12/18/17: Attorney Gebo stated he spoke with representatives from the US Census Bureau who referred him to the Jefferson County Planning Department. Attorney Gebo will work with the Clerk/Treasurer to forward documentation to clear up this matter.

At the November 20, 2017 meeting, the Board reviewed the Water/Sewer Cut Off Register as of November 14, 2017 which listed 144 properties.

Update 12/18/17: The Board reviewed the Water/Sewer billing Cut Off Register which listed 39 properties on shut off day.

At the November 20, 2017 meeting, the Board tabled 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 was needed.

Update 12/18/17: President McIlroy requested to hold this over until the January 16, 2018 meeting as the DPW Superintendent and Chief Plant Operator continue to research this issue.

NEW BUSINESS:

Motion by Deputy President Astafan and seconded by Trustee Vary authorizing President McIlroy to sign the Random Drug and Alcohol Program Renewal with Lewis County General Hospital Occupational Medicine to provide required random drug and alcohol testing for DPW employees. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Vary to adopt Resolution 13 of 2017 as follows:

RESOLUTION 13 of 2017

RESOLUTION AUTHORIZING A JOINT APPLICATION WITH THE TOWN OF WILNA FOR 2018 LGRMIF GRANT

WHEREAS, funding is available through the University of the State of New York Education Department under the 2018 Local Government Records Management Improvement Fund (LGRMIF) to manage historic Clerk's Office records and

WHEREAS, the Town of Wilna and Village of Carthage have determined that working together to archive records will maximize limited local resources while providing more cost efficient and effective delivery of such; and

WHEREAS, the Town of Wilna, in conjunction with the Village of Carthage, will purchase a new server, scanning equipment, laser fiche' software and contract for qualified professional services to store & retrieve relevant data for easy access by assigned town/village staff with funding made available through the 2018 LGRMIF; and

WHEREAS, the Town of Wilna has agreed to host the data on the new server and maintain equipment at the town office for easy access and long-term management of data; and

WHEREAS, the Town of Wilna has agreed to administer project funding to support the historic records management project; and

WHEREAS, the Town of Wilna has agreed to be the applicant for the 2018 Local Government Record Management Improvement Fund (LGRMIF) and the Village of Carthage will be a participant in the grant application and implementation, now therefore

BE IT RESOLVED by the board of the Village of Carthage authorizes the Town of Wilna to sign, on their behalf, required documentation to submit the grant application and (if awarded funding) required state contracts, purchase agreements and professional service providers.

Motion by Deputy President Astafan and seconded by Trustee Vary the foregoing resolution was duly adopted unanimously.

Motion by Trustee Vary and seconded by Deputy President Astafan to approve Budget Transfers and Adjustment as follows:

Budget Transfers 12/18/2017

AA.3120.4200	Police Internet	500.00	
AA.3120.4100	Police Telephone		500.00
AA.3120.4220	Police Travel and Training	1,500.00	
AA.3120.4610	Police Vehicle Equip Fuel		1,500.00
AA5142.4460	Snow Removal Safety	500.00	
AA.5142.4600	Snow Removal Vehicle/Equip Maint & Repair		500.00
AA.7110.4940	Farmers Market	2,000.00	
AA.7140.4600	Athletic Field Equipment/Maint Repair	500.00	

AA.7140.4700	Athletic Field Job Supplies	500.00
AA.1990.4000	Contingencies	2,000.00

Budget Adjustments

AA.3120.4600	Vehicle Equip/Maint Repair	3,900.00
AA.2680	Insurance Recoveries	3,900.00

Motion carried unanimously.

Motion by Trustee Vary and seconded by Deputy President Astafan authorizing the purchase of gift certificates at the Carthage Market and JB Meats for employees in the amount of \$50.00 each for a total of \$900.00. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Vary 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.

Deputy President Astafan reviewed the monthly bills and bank statements including reconciliations prior to the meeting. The documents were available at the meeting.

Motion by Deputy President Astafan and seconded by Trustee Vary to approve payment of payrolls and bills as follows: General Fund \$138,609.54; Special Grant Fund \$24,848.74; Water Fund \$19,013.15; and Sewer Fund \$14,521.99. Motion carried unanimously.

ATTORNEY GEBO:

Attorney Gebo stated the majority of his items had been discussed throughout the meeting. Attorney Gebo stated he will be submitting paperwork regarding the delinquent Ablan loan due to bankruptcy.

PRESIDENT MCILROY UPDATE:

President McIlroy stated he is very pleased to announce the Village is a recipient of a \$30,000.00 Inflow and Infiltration study grant for our storm sewers. The Annual DPW Christmas Party will be hosted again by the Village of West Carthage on Friday, December 22, 2017 at 12:00 p.m. The Joint Utility meeting will be Wednesday, December 27, 2017 at the Carthage Municipal Building at 4:00 p.m. and the next Board meeting will be Tuesday, January 16, 2018 due to the holiday. President McIlroy requested an Executive Session to discuss the proposed sale of real property.

LIAISON REPORTS AND COMMENTS:

Deputy President Astafan commended the Water Department and the DPW for their efforts during the water main break last Friday. Deputy President Astafan stated it was a very cold night and the employees did a great job which is appreciated.

Trustee Vary wished everyone a Merry Christmas and a safe New Year.

President McIlroy wished everyone a Merry Christmas, Happy New Year, reminded everyone Christmas marks the birth of Christ and reminded everyone to appreciate their families especially this time of year.

MEDIA QUESTIONS:

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

EXECUTIVE SESSION:

Motion by Trustee Vary and seconded by Deputy President Astafan to enter Executive Session at 6:35 p.m. to discuss the proposed sale of property. Motion carried unanimously.

Motion by Trustee Vary and seconded by Deputy President Astafan to resume Regular Session at 6:45 p.m. Motion carried unanimously.

ADJOURNMENT:

Motion by Trustee Vary and seconded by Deputy President Astafan to adjourn at 6:45 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy O'Shaughnessy
Village Clerk/Treasurer