

Regular Meeting of the Village of Carthage Board of Trustees
Held in the Board Room of the Village of Carthage Municipal Building
January 16, 2018

ATTENDANCE:

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

Others: Edgar Countryman, DPW Superintendent; 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 December 18, 2017 regular 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 Deputy President Astafan and seconded by Trustee Smith-Spencer authorizing President McIlroy to sign a letter of support for the grant application to be submitted by the Town of Wilna for a shared Municipal GIS/GPS Summer intern position to develop and/or enhance mapping of infrastructure. Motion carried unanimously.

CORRESPONDENCE:

Motion by Trustee Vary and seconded by Trustee Smith-Spencer to approve the request of Anna Archer-Runge to conduct the 35th Annual *Walk for Life* on Sunday, January, 21, 2018 at 2:00 p.m. following the usual route of the eastbound lane from the Knights of Columbus Hall, West Carthage to St. James Church on State Street in Carthage. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Vary to permit the Carthage Area Chamber of Commerce to use the Carthage Park and Recreation Building to set up on Friday, February 9, 2018 for the Annual Winterfest Celebration on Saturday, February 10, 2018 and waive the rental fee and further, allow horse drawn wagon rides which will begin at the Carthage Park, to Hospital Drive, then West Street to Thorp Street and back to the Carthage Park as long as a certificate of insurance is provided for the event. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to approve the request for the Carthage Little League to use the Carthage Park baseball fields during the 2018 season for practice and games from April 1, 2018 - June 30, 2018 contingent upon receipt of a certificate of insurance. Motion carried unanimously.

Motion by Trustee Vary and seconded by Trustee Smith-Spencer to approve the request of St. James Church to conduct the annual St. James Fair on June 28, 29, 30, 2018; to include closing off through traffic on West Street from South School Street to South Mechanic Street and to post banners on both ends of the Village by the bridge and the Carthage Park a few weeks prior to the event providing they notify the DPW in advance and further remove the banners immediately after the fair. Motion carried unanimously.

President McIlroy read the correspondence received from Slye Law Offices, PC regarding their desire to assist the village with litigation and/or labor matters. The Clerk/Treasurer stated that Attorney Gebo's office forwarded a sample Request for Proposals for legal services.

Motion by Deputy President Astafan and seconded by Trustee Vary authorizing the Clerk/Treasurer to advertise and distribute Request for Proposals for legal services. Motion carried unanimously.

President McIlroy read the correspondence received from National Grid regarding the field audit they are conducting on the street lighting.

President McIlroy stated the Town of Wilna Planning Board minutes dated January 3, 2018 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.

Update 1/16/18: President McIlroy requested the Clerk/Treasurer to hold this until the February 20, 2018 meeting when Attorney Gebo is present.

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.

Update 1/16/18: President McIlroy requested the Clerk/Treasurer to hold this until the February 20, 2018 meeting when Attorney Gebo is present.

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.

Update 1/16/18: As of June 1, 2017, Metro Paper was not considered a Significant Industrial User by the Water Pollution Control Facilities; they are now a customer of the Village of Carthage and should be billed accordingly.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer authorizing the Clerk/Treasurer to bill Metro Paper, based on the separately metered Inflow and Infiltration, at the Village sewer rate currently \$6.10 per 100 cubic feet retroactive to June 1, 2017 and going forward, on a quarterly basis. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Vary to credit Metro Paper for water \$537.71 and sewer \$662.38 for a grand total of \$1,198.09 due to the amount of water separately metered by West End Hydro since 2010 which flows through Metro Paper's water meter before being metered by West End Hydro. Motion carried unanimously.

During the research of Metro Paper's water/sewer bill, the discharge of domestic and industrial waste by Carthage Energy was questioned. For many years, Village and DANC representatives thought Carthage Energy's domestic waste was discharged into the Villages sewer line and their industrial waste was discharged into Metro Paper's industrial sewer line. It was assumed that Carthage Energy had an agreement with Metro paper regarding discharging their industrial waste into Metro Paper's industrial sewer line. Village and DANC representatives conducted dye testing of both the domestic and industrial sewer lines at Carthage Energy and it was discovered that their industrial waste is discharged into the Village's sewer line and their domestic waste is discharged into Metro Paper's industrial sewer line.

Motion by Trustee Vary and seconded by Trustee Smith-Spencer authorizing the Clerk/Treasurer to subtract the sewer amount billed to Carthage Energy for their domestic sewer from Metro Paper's industrial sewer bill retroactive to June 1, 2017. Motion carried unanimously.

Motion by Trustee Vary and seconded by Trustee Smith-Spencer authorizing the Clerk/Treasurer to bill Carthage Energy, based on the separately metered industrial waste, at the Villages sewer rate currently \$6.10 per 100 cubic feet retroactive to June 1, 2017, and further require that they purchase a meter which can be read by our electronic reading system for billing purposes. Motion carried unanimously.

NEW BUSINESS:

Motion by Deputy President Astafan and seconded by Trustee Vary to adopt Resolution 1 of 2018 as follows:

**AUTHORIZING COMMITMENT OF MATCHING FUNDS REGARDING CARTHAGE
ENGINEERING STUDY PROJECT PLANNING GRANT THROUGH THE NEW YORK CLEAN
WATER STATE REVOLVING FUND (CWSRF)
(PLANNING GRANT #73518)**

WHEREAS, The Village of Carthage has been selected to received up to \$30,000 for the Engineering Planning Grant through the New York Clean Water State Revolving Fund program; and
WHEREAS, The grant funds were obtained to study select areas throughout the sewer system to locate sources of infiltration and inflow in the Village of Carthage; and
WHEREAS, Such grant requires a minimum local match of 20% of the Grant Award project costs; and
NOW, THEREFORE BE IT RESOLVED, That the Village of Carthage authorizes and appropriates a minimum of 20% local match as required by the Engineering Planning Grant Program for the Village of Carthage Infiltration and Inflow Study project. Under the Engineering Planning Grant Program, this local match must be at least 20% of the grant award of \$30,000.00. The maximum local share appropriated subject to any changes agreed to by the President shall not exceed \$6,000.00. The total estimated maximum project cost is \$36,000.00. The President may increase this local match through the use of in-kind services without further approval from the Village of Carthage.
The foregoing resolution was duly adopted unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Vary to adopt Resolution 2 of 2018 as follows:

**AUTHORIZING FOR REPRESENTATIVE TO EXECUTE GRANT AGREEMENT
REGARDING CARTHAGE ENGINEERING STUDY PROJECT PLANNING GRANT
THROUGH THE NEW YORK CLEAN WATER STATE REVOLVING FUND (CWSRF)
(PLANNING GRANT #73518)**

WHEREAS, The Village of Carthage has been selected to received funding for the Engineering Planning Grant through the CWSRF program; and
WHEREAS, The CWSRF requires the Village of Carthage to designate a representative to sign documents necessary to complete the Village's obligations under the grant agreement; and
NOW, THEREFORE BE IT RESOLVED, That the Village President is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Village's obligations under the Engineering Planning Grant Agreement.
The foregoing resolution was duly adopted unanimously.

Motion by Trustee Smith-Spencer and seconded by Deputy President Astafan to adopt Resolution 3 of 2018 as follows:

**ISSUING SEQR TYPE II DETERMINATION REGARDING CARTHAGE ENGINEERING
STUDY PROJECT PLANNING GRANT THROUGH THE NEW YORK CLEAN WATER
STATE REVOLVING FUND (CWSRF)
(PLANNING GRANT #73518)**

WHEREAS, The Village of Carthage has been selected to received funding for the Engineering Planning Grant through the CWSRF program; and
WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in

subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law; and

NOW, THEREFORE BE IT RESOLVED, That the Village of Carthage Village Board hereby determines that the proposed Village of Carthage Wastewater Engineering Study is a Type II action in accordance with 6 NYCRR Section 617.5 (c) subparagraphs (18) which constitutes that engineering studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action are Type II actions and are therefore not subject to review under 6 NYCRR Part 617. The foregoing resolution was duly adopted unanimously.

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

Budget Transfers 1/16/2018

		1,000.0	
AA.5142.4460	Snow Removal Safety	0	
AA.8170.4460	Street Cleaning Safety		1,000.00
AA.7140.4600	Athletic Field Equipment/Maint Repair	200.00	
AA.7140.4620	Athletic Field Equipment Rental		200.00

Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer authorizing Kimple Property Services to machine clean the ceramic tile in four restrooms in the Municipal Building at a cost not to exceed \$225.00. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Vary authorizing the DPW Superintendent, Planning Board representative, and the Clerk/Treasurer to attend the Tug Hill Local Government Conference at Jefferson Community College on March 29, 2018 at a total cost not to exceed \$150.00 and further include mileage reimbursement. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Vary to accept the Monthly Departmental Reports as presented by the DPW, Treasurer, Police, and Water. Motion carried unanimously. The Community Development, CEO, and Court reports were 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 Deputy President Astafan and seconded by Trustee Smith-Spencer to approve payment of payrolls and bills as follows: General Fund \$118,299.69; Special Grant Fund \$201.14; Water Fund \$19,863.93; and Sewer Fund \$13089.98. Motion carried unanimously.

ATTORNEY GEBO:

None.

PRESIDENT MCILROY UPDATE:

President McIlroy stated there will be Joint Utility meetings on January 17, 2018 at 4:00 p.m. at West Carthage; Stormwater Coalition meeting on January 18, 2018 at 1:00 p.m. at Black River; RACOG meeting on January 23, 2018 at 6:00 p.m. at Carthage; CIDC meeting on January 24, 2018 at 4:00 p.m. at Wilna; and Winterfest at the Carthage Park on February 10, 2018 from 10:00 a.m. – 2:00 p.m.

LIAISON REPORTS AND COMMENTS:

Deputy President Astafan stated he spoke with Mr. Stevenson at the WPCF and the new meter has been installed at the Metro metering building.

Trustee Smith-Spencer requested an Executive Session to discuss the employment history of two particular DPW employees and requested Mr. Countryman to attend.

MEDIA QUESTIONS:

Ms. Avallone asked for clarification of items discussed throughout the meeting. Ms. Avallone expressed the Church of the Nazarene will be hosting a Civilian Response to Active Shooter training on February 21, 2018 at 6:00 p.m.

President McIlroy expressed that he received a phone request from Josh Howland regarding building a snow sculpture at the Village Green.

Motion by Trustee Smith-Spencer and seconded by Trustee Vary to permit Mr. Howland to build a snow sculpture at the Village Green. Motion carried unanimously.

EXECUTIVE SESSION:

Motion by Trustee Smith-Spencer and seconded by Deputy President Astafan to enter Executive Session at 6:45 p.m. to discuss the employment history of two particular DPW employees to include Mr. Countryman. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Vary to resume Regular Session at 7:20 p.m. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Deputy President Astafan to hire a temporary full-time DPW Laborer effective immediately not to exceed six months from the date of hire. Motion carried unanimously.

ADJOURNMENT:

Motion by Trustee Smith-Spencer and seconded by Deputy President Astafan to adjourn at 7:21 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy O'Shaughnessy
Village Clerk/Treasurer