

Regular Meeting of the Village of Carthage Board of Trustees  
Held in the Board Room of the Village of Carthage Municipal Building  
April 19, 2018

**ATTENDANCE:**

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

**Others:** Mark Gebo, Village Attorney; Edgar Countryman, DPW Superintendent; Reginald Huber, Police Chief; Elaine Avallone, Johnson Newspapers; Mickey Dietrich, Tug Hill Commissions; Kenneth Paragon; and Patrick and Sandi McCreadie.

The scheduled meeting on April 16, 2018 was adjourned until April 19, 2018 due to lack of a quorum of the board.

**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 Franchini and seconded by Trustee Smith-Spencer to approve the minutes of the March 19, 2018 regular meeting as presented. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini to approve the minutes of the April 2, 2018 special meeting as presented. Motion carried unanimously.

**PUBLIC FORUM:**

Mr. Paragon, who resides at 616 Alexandria Street, expressed that he has contacted the CEO four times to report the code violations at 610 Alexandria Street and nothing has been done. Mr. Paragon showed pictures of the property to President McIlroy. Mr. Paragon stated part of the roof has come off and the siding continues to blow off onto his neighboring property. Mr. Paragon also stated he has other neighboring properties of which he has reported code violations to the CEO with no results. Mr. and Ms. McCredie corroborated the deploring condition of the residents Mr. Paragon was questioning and expressed there is a drug problem in that area. President McIlroy stated he will address their concerns with the CEO. Mr. Paragon, Mr. McCredie, and Mr. McCredie left at 6:08 p.m.

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

**PUBLIC HEARINGS:**

President McIlroy called the public hearing to order regarding the Tentative Budget for June 1, 2018 – May 31, 2019 at 6:14 p.m. The Village tax rate remained the same for the fifth consecutive year at \$7.44 per thousand dollars of assessed property value. The tax levy is projected at \$1,145,215.00 which is a decrease of \$672.00 from 2017 - 2018 tax levy and is well within the NYS Real Property Tax Cap of 2.0%. President McIlroy asked two times if there was anyone to speak either for or against the tentative budget. With no one speaking for or against the tentative budget, there was a motion by Trustee Smith-Spencer and seconded by Trustee Franchini to close the public hearing at 6:14 p.m.

President McIlroy called the public hearing to order regarding an amendment to Local Law #5 of 2017 to correct certain sections regarding Stormwater prevention at 6:15 p.m. President McIlroy asked two times if there was anyone to speak either for or the amendment to Local Law #5 of 2017. With no one

speaking for or against amending Local Law #5 of 2017, there was a motion by Trustee Franchini and seconded by Trustee Smith-Spencer to close the public hearing at 6:16 p.m.

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini to accept the tentative budget as presented and further adopt it as the final budget for the fiscal year June 1, 2018 – May 31, 2019 in the amount of \$4,195,564.00. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini to adopt Local Law #1 of 2018 which amends Local Law #5 of 2017 to correct certain sections in the Village of Carthage Code Book regarding Stormwater prevention. Motion carried unanimously.

#### **CORRESPONDENCE:**

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini requesting the Clerk/Treasurer to send letters of support to local and state representatives in favor of the S3292/A.3907A – SWAP bill to create a Safe Water Infrastructure Action Program. Motion carried unanimously.

President McIlroy explained that Conboy Law Firm sent a letter requesting a credit for water used to keep their pipes from freezing. The letter further explained that they were advised by the Superintendent a few years ago to run their water so their pipes wouldn't freeze and received a credit at that time. President McIlroy explained in 2015 the Village was having issues with water mains freezing so certain areas throughout the Village were advised to run their water and the Village issued them credits for the water used.

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer to deny the request from Conboy Law Firm at 307 State Street for a credit to their water/sewer bill as the Village did not ask residents to run their water this year. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini, based on the recommendation of the Water Superintendent, to approve the request of Tom and Kacee Delles for a sewer credit in the amount of \$93.40 due to a water pipe which broke in the garage and drained onto the floor. Motion carried unanimously.

President McIlroy stated the Village received notice from the Office of the State Comptroller which states the Village of Carthage received a Fiscal Stress Score of 8.3 and an Environmental Stress Score of 26.7 which is considered no designation.

President McIlroy summarized the letter received from NYSDOT regarding Initial Project Proposal, PIN 7932.35 Railroad Crossing Improvements on South Mechanic Street which include upgrading the surface and installing flashers, gates and bells at the crossing.

President McIlroy summarized the notice received from NYSDOH regarding the 2018 public water system monitoring requirements.

President McIlroy read the invitation received from Dominic Condino Motors, Inc. regarding their Centennial Celebration to celebrate 100 years in business on Saturday, May 12, 2018 from 11:00 a.m. – 5:00 p.m.

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer to have President McIlroy present a certificate of appreciation to Dominic Condino Motors, Inc. at their centennial celebration on May 12, 2018 for their loyalty and commitment to the Village of Carthage. Motion carried unanimously.

President McIlroy stated the RACOG minutes are included in the meeting packet for the Boards information.

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer to approve the request of the Carthage American Legion Auxiliary Bassett-Baxter Unit 789 to conduct their annual Poppy Drive on May 3<sup>rd</sup> and 4<sup>th</sup>, 2018, and distribute poppies at various businesses within the Village limits. Motion carried unanimously.

**OLD BUSINESS:**

At the March 19, 2018 meeting the Board requested Deputy President Astafan to appraise 302-306 North Mechanic Street at no charge to the Village.

Update 04/19/18: President McIlroy requested the Clerk/Treasurer to hold this over until the May 21, 2018 meeting.

**NEW BUSINESS:**

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini to approve the WPCF tentative budget as recommended by the WPCF Board and further adopt it as the Final Budget for fiscal year June 1, 2018 – May 31, 2019 in the amount of \$1,609,093.03. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini to keep WPCF funds in Key Bank and not to proceed with the recommendation of the WPCF Board to move the funds to an alternative bank. Motion carried unanimously.

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer authorizing President McIlroy and the Clerk/Treasurer to sign the 2018 tax warrant as follows:

Total Taxes for Current Budget:	\$1,145,215.00
Delinquent Water Charges:	\$ 3,091.49
Delinquent Sewer Charges:	\$ 172,144.25
Delinquent Property Charges:	<u>\$ 9,448.00</u>
Total	<u>\$1,329,898.74</u>

Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini to authorize a DPW employee to attend Johnston VT Series Service School in Henrietta, New York at no cost on May 9<sup>th</sup> or 10<sup>th</sup>, 2018, and further authorize the employee to utilize a Village vehicle. Motion carried unanimously.

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer to authorize two DPW employees to attend Stormwater Management training in St. Lawrence County at a cost of \$50.00 per person on April 25, 2018, and further authorize the employees to utilize a Village vehicle. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini to pay Vincent LeMeux for unused sick days, according to the DPW Teamsters contract, in the amount of \$45.00. Motion carried unanimously.

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer to send the complaint regarding Harold Barlow to the insurance company due to damage caused to his vehicle from a plastic playground during a wind storm of which he feels is the fault of the DPW. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini to have Attorney Gebo prepare a case for Village Court due to sited code violations by the Village Police Department at 571 South Washington Street. Motion carried unanimously.

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer to have Attorney Gebo prepare a case for Village Court due to sited code violations by the Village Police Department at 771 and 773 West End Avenue. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini to accept the monthly Departmental Reports as presented by the CEO, DPW, Police, Treasurer, and Water. Motion carried unanimously. The Community Development 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 Trustee Smith-Spencer and seconded by Trustee Franchini to approve payment of payrolls and bills which were approved by President McIlroy to be paid on April 17, 2018 due to the adjournment of the meeting on April 16, 2017 as follows: General Fund \$110,178.38; Special Grant Fund \$4,421.92; Water Fund \$15,951.76; and Sewer Fund \$12,637.61. Motion carried unanimously.

President McIlroy stated Lynn Thorton is being recognized by the Carthage Area Chamber of Commerce as Citizen of the Year for 2017.

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer to have President McIlroy present a certificate of appreciation during the Citizen of the Year dinner on May 2, 2018 to Lynn Thorton for her commitment and loyalty to the Greater Carthage Area. Motion carried unanimously.

President McIlroy asked if the delinquent loan fund accounts responded to correspondence from Attorney Gebo. The Clerk/Treasurer stated Scribner's have made payments and set up a payment plan to catch up their back payments. The Clerk/Treasurer stated she received a phone call last week from John Bushey asking the amount due and stating he will be in a few days to make his account current. The amount remains outstanding therefore President McIlroy asked Attorney Gebo to proceed with the next step to attempt to collect payment.

**ATTORNEY GEBO:**

Attorney Gebo stated the majority of his items were addressed throughout the meeting.

**PRESIDENT MCILROY UPDATE:**

President McIlroy stated Metro Paper has not made a payment for the discharge going through their separate industrial sewer line since last fiscal year. President McIlroy asked Attorney Gebo if the Village were to install a plug to block the flow, who is responsible for the potential damage to the plant and river? Attorney Gebo stated he will contact NYSDEC and look into potential legal ramifications of blocking the industrial sewer pipe.

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini to forward any revenues received from Metro Paper billed, for the fiscal year June 1, 2017 – May 31, 2018, by the Village of Carthage for their metered industrial sewer flow to the Water Pollution Control Facilities. Motion carried unanimously.

President McIlroy stated there will be a CIDC meeting on April 25, 2018 at 4:00 p.m. at the Town of Wilna; Citizen of the Year Dinner on May 2, 2018 at 5:30 p.m. at the Carthage Elks; and Joint Utility meetings on May 16, 2018 at 4:00 p.m. at West Carthage.

**LIAISON REPORTS AND COMMENTS:**

None.

**MEDIA QUESTIONS:**

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

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini authorizing the DPW Superintendent to attend Running Your Highway Department training in Lewis County on May 3, 2018 at a cost of \$50.00 and further authorize the DPW Superintendent to use a Village vehicle. Motion carried unanimously.

Chief Huber stated he would like properties throughout the Village to be cleaned up.

**EXECUTIVE SESSION:**

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini to enter Executive Session at 6:43 p.m. to discuss a current litigation regarding the Police Department. Motion carried unanimously.

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer to resume Regular Session at 6:54 p.m. Motion carried unanimously.

**ADJOURNMENT:**

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini to adjourn at 6:54 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy O'Shaughnessy  
Village Clerk/Treasurer