

Regular Meeting of the Village of Carthage Board of Trustees  
Held in the Board Room of the Village of Carthage Municipal Building  
May 21, 2018

**ATTENDANCE:**

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

**Others:** Mark Gebo and Joe Russell, Village Attorneys; Edgar Countryman, DPW Superintendent; Reginald Huber, Police Chief; 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 Franchini and seconded by Trustee Smith-Spencer to approve the minutes of the April 19, 2018 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.

**CORRESPONDENCE:**

Motion by Deputy President Astafan and seconded by Trustee Vary to approve the request of the Carthage Youth Soccer to use the Recreation Building free of charge for a few meetings in the Spring and Summer providing the building is not already in use. Motion carried unanimously.

Motion by Trustee Vary and seconded by Deputy President Astafan authorizing Benjamin Schnieder to have alcohol at the Recreation Building during their event on May 24, 2018 providing it is not in glass containers. Motion carried unanimously.

President McIlroy read the invitation received from Tug Hill Region Councils of Governments (SuperCOG) for the combined meeting on Wednesday, May 30, 2018 at the Redfield Fire Hall.

Motion by Trustee Smith-Spencer and seconded by Trustee Vary authorizing the Sons of the American Legion Post #787 to have alcohol at their outdoor event on Saturday, June 2, 2018 from 12:00 p.m. – 8:00 p.m. providing it is not served in glass containers and further it is kept in a contained area behind the American Legion. Motion carried unanimously.

Motion by Trustee Franchini and seconded by Deputy President Astafan authorizing Jennifer Akins to use the fields at the Carthage Park on Sunday evenings from June 3, 2018 – July 8, 2018 for a Co-Ed Adult Softball League. Motion carried unanimously.

Motion by Trustee Franchini and seconded by Trustee Vary to approve the request of the Augustinian Academy to use the parking lot, playground and restrooms for their annual walk-a-thon and school picnic on Thursday, June 14, 2018. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Vary to permit the Carthage Area Chamber of Commerce to host a Fireworks Festival on Saturday, July 14, 2018 at 4:00 p.m. at Turning Point Park to include the assistance of the DPW and Police Departments and further, permit Chamber to

place a banner advertising the Fireworks Festival by the gazebo at the corner of State Street and Water Street providing the banner is removed after the event. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Vary to approve the request of James Ginger, on behalf of the Carthage Elks Lodge, to host a Beach Party on July 14, 2018 to include blocking the entrance to Fulton Street from North James Street and further permit them to have alcohol at their outdoor event providing it is not served in glass containers and it is kept in a contained area at the Carthage Elks Lodge. Motion carried unanimously.

Motion by Trustee Franchini and seconded by Trustee Vary to approve the request of the Carthage YMCA to host their annual Family Fun Run and Carthage YMCA Color Run to promote healthy families in our community on Saturday, October 20, 2018 to commence at the Carthage Park, proceed to State Street, Hospital Drive, West Street, North James Street, Fulton Street and end at the Carthage Park, have the DPW provide traffic cones and barricades, and further use the Recreation Building free of charge providing the event does not conflict with previously scheduled events at the Park and a certificate of insurance is provided. Motion carried unanimously.

President McIlroy read the correspondence received from Buckley Realty, LLC requesting a sewer credit due a broken water pipe and correspondence from the Water Superintendent requesting more information. President McIlroy requested the Clerk/Treasurer to send a letter to Buckley Realty, LLC and ask that they provide a detailed explanation of when the event occurred and the problem, and if a plumber was involved ask that they forward a report received from the plumber. President McIlroy requested the Clerk/Treasurer to hold this over until the June 18, 2018 meeting.

President McIlroy read the correspondence received from Sue Ware at 682 West End Avenue requesting a sewer credit due to a broken sump pump and broken pipe leading to an outside spigot and correspondence from the Water Superintendent requesting more information including dates. The Clerk/Treasurer stated a letter was sent to Ms. Ware on April 26, 2018 requesting the information but has yet to receive a response. President McIlroy requested the Clerk/Treasurer to hold this over until the June 18, 2018 meeting.

President McIlroy read the correspondence received from Metro Paper Industries of NY, Inc. requesting that their water/sewer services be terminated, questioning the amount of the sewer bill due to the inflow and infiltration from their plant entering their industrial sewer line, and turning over the property to the Village or appropriate agency "as is" due to the unaffordable utility bills. President McIlroy directed the Clerk/Treasurer to have the water services terminated as requested and further notify the CIDC to let the Hydro plant know.

Motion by Trustee Franchini and seconded by Deputy President Astafan to have Attorney Gebo send a response to Metro Paper Industries of NY, Inc. informing them that their water services are terminated, request that they block the industrial sewer line to stop the inflow and infiltration from going to the sewer treatment plant, and further inform them that the Village rejects their offer to take their building. Motion carried unanimously.

President McIlroy stated the RACOG minutes from the April 17, 2018 meeting are included in the meeting packet for the Boards information.

President McIlroy stated the Town of Wilna Joint Planning Board minutes from the May 2, 2018 meeting are included in the meeting packet for the Boards information.

**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.

Update 05/21/18: President McIlroy requested the Clerk/Treasure to hold this over until the June 18, 2018 meeting.

**NEW BUSINESS:**

Motion by Trustee Franchini and seconded by Deputy President Astafan authorizing the Clerk/Treasurer to advertise the posting of the 2016-2017 Draft of the MS4 Annual report of the Village website for the public to review and make comments on the Annual Report Comment Form provided. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Vary authorizing Presient McIlroy to sign the engagement letter for Agreed Upon Procedures with Stackel & Navarra, CPA, PC for the fiscal year ending May 31, 2018. Motion carried unanimously.

Motion by Trustee Vary and seconded by Trustee Smith-Spencer authorizing Kathleen Latremore, Village of Carthage Planning Board representative on the Town of Wilna Joint Planning Board, to attend the Black River Watershed conference on June 12, 2018 at a cost of \$25.00 and further reimburse her for mileage. Motion carried unanimously.

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer authorizing the Clerk/Treasurer to make budget transfers for account balancing as follows:

AA.1210.4000	Mayor Contractual	50.00	
AA.1010.4000	Trustee Board		50.00
AA.1620.2000	Building Equipment/Capital	5,400.00	
AA.1620.4420	Building Maintenance		5,400.00
AA.7140.4410	Athletic Field Utilities	1,000.00	
AA.7140.4700	Athletic Fields Job Supplies		1,000.00
FX.8310.2000	Water Admin Equipment	1,500.00	
FX.8340.2000	Water Trans & Dist		1,500.00

Motion carried unanimously.

Motion by Trustee Vary and seconded by Trustee Franchini authorizing the Clerk/Treasurer to make budgeted reserve transfers as follows:

Police Car Reserve	\$ 10,000.00
DPW Equipment Reserves	\$ 55,000.00
Court Room Reserves	\$ 1,000.00
Water Equipment Reserves	\$ 10,000.00
Water Repair Reserves	\$150,000.00
Sewer Repair Reserves	\$100,000.00

Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer authorizing the Clerk/Treasurer to make fiscal year end budget transfers for account balancing. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Vary to write off the Carthage Specialty Paperboard loan from the Village Loan Fund in the amount of \$98,059.96 and further send a bill to the

Carthage Industrial Development Corporation for half of the remaining balance per their agreement. Attorney Gebo advised the Board not to write off the loan balance as it has been filed with the bankruptcy court and depending on the results, the Village may be able to collect some of the balance due.

Motion by Deputy President Astafan and seconded by Trustee Vary to rescind the above listed motion and continue to keep the Carthage Specialty Paperboard loan balance on the books until the bankruptcy proceedings are finalized. Motion carried unanimously.

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer authorizing to close the Clerk's Office on Friday, May 25, 2018 and have employees use vacation or personal time to account for the day. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini to accept the monthly Departmental Reports as presented by the CEO, Police, Treasurer, and Water. Motion carried unanimously. The Community Development, Court, and DPW 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 Deputy President Astafan to approve payment of payrolls and bills as follows: General Fund \$171,688.46; Special Grant Fund \$3,160.31; Water Fund \$26,697.61; and Sewer Fund \$16,795.03. Motion carried unanimously.

#### **ATTORNEY GEBO:**

Attorney Gebo stated the majority of his items were addressed throughout the meeting. Attorney Gebo stated he has a WPCF Teamsters meeting on 5/23/18 at 1:00 p.m., received correspondence from the Chief Plant Operator regarding CSP violating their SPDES permit, and requested an Executive Session to discuss a potential litigation.

#### **PRESIDENT MCILROY UPDATE:**

President McIlroy asked if the Code Violations were addressed on 610 and 617 Alexandria Street and the Clerk/Treasurer stated they were and the status of the violations is contained within the CEO report. President McIlroy stated an email was sent by the Chief Plant Operator requesting a special meeting of the WPCF Board due to CSP SPDES permit violations. Deputy President Astafan stated that he informed the Chief Plant Operator to call CSP and follow up with written correspondence regarding the severity of the permit violations. Deputy President Astafan asked if we can take legal action against CSP and Attorney Gebo expressed that he will call the Chief Plant Operator. President McIlroy stated there is a MS4 meeting on May 24, 2018 at 1:00 p.m. at the Town of LeRay, CIDC meeting on May 30, 2018 at 3:00 p.m. at the Town of Wilna, and a SuperCOG meeting on May 30, 2018 at 7:00 p.m. in Redfield.

#### **LIAISON REPORTS AND COMMENTS:**

Trustee Smith-Spencer asked Attorney Gebo whose responsibility it is to insert a valve to block the industrial sewer line at CSP and Attorney Gebo stated significant industrial users are typically the responsibility of the WPCF.

Mr. Countryman thanked the Board for sponsoring the training at the Recreation Building regarding the surrounding DPW's learning how to identify mobile meth labs and other drug paraphernalia during their routine clean up of the Villages and Towns. Mr. Countryman stated he forwarded three

applications to Deputy President Astafan and Trustee Smith-Spencer to review for the DPW Laborer position.

President McIlroy presented a plaque to Attorney Gebo and expressed the Villages appreciation for his many years of service and dedication to the Village.

**MEDIA QUESTIONS:**

None.

**EXECUTIVE SESSION:**

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini to enter Executive Session at 7:01 p.m. to discuss a current litigation regarding the Village Loan Fund and the employment history of a particular employee. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini to resume Regular Session at 7:08 p.m. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Deputy President Astafan to present a certificate of appreciation to Carthage Savings and Loan Association for their commitment and loyalty to the Greater Carthage Area for the past 130 years. 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