

Regular Meeting of the Village of Carthage Board of Trustees  
Held in the Board Room of the Village of Carthage Municipal Building  
April 15, 2019

**ATTENDANCE:**

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

**Others:** Joseph Russell, Village Attorney; Edgar Countryman, DPW Superintendent; Reginald Huber, Police Chief; Mickey Dietrich, Tug Hill Commissions; and Terry McKeever, Village and Town CEO.

**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 18, 2019 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. Mr. Dietrich provided a flyer regarding a walk audit of Carthage to be facilitated by Mark Fenton on May 15, 2019 at 1:00 p.m. and encouraged Trustees to attend.

Mr. McKeever introduced himself as the new Code Enforcement Officer (CEO) for the Town of Wilna and the Village of Carthage via inner municipal contract the Town has with the Village. Mr. McKeever explained that he is a retired NYS Corrections Officer and has been the CEO for the Town of Theresa for nine years and the Village of Philadelphia for fifteen years. Mr. McKeever encouraged Trustees to contact him if they see anything which needs to be addressed throughout the Village. Mr. McKeever stated he will be at the Town of Wilna on Tuesdays and available other times as needed. President McIlroy stated that he sounds like the right person for the job.

**PUBLIC HEARINGS:**

President McIlroy called the public hearing to order regarding the Tentative Budget for June 1, 2019 – May 31, 2020 at 6:13 p.m. The Village tax rate remained the same for the sixth consecutive year at \$7.44 per thousand dollars of assessed property value. The tax levy is projected at \$1,148,683.00 which is an increase of \$3,468.00 from 2018 - 2019 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.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to accept the tentative budget as presented and further adopt it as the final budget for the fiscal year June 1, 2019 – May 31, 2020 in the amount of \$4,350,157.00. Motion carried unanimously.

**CORRESPONDENCE:**

Motion by Deputy President Astafan and seconded by Trustee Franchini to approve the request of Reverend Ed Murphy to utilize the gazebo at Turning Point Park to hold their Easter Sunrise Service on Sunday, April 21, 2019 at 6:30 a.m. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer 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, July 13, 2019 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 from NYS Office of the State Comptroller regarding the Village's fiscal stress scores and designations. The Village has no designation for fiscal stress and a moderate environmental stress designation which is due to in part to a decrease in population; percentage of households on public assistance; percentage change in home value; and unemployment rate.

President McIlroy read the correspondence received from NYSDEC Pesticides Department giving the Village the opportunity to object to the application of aquacade pellets aquatic herbicide in Pleasant Lake which is the Village's backup water source.

### **OLD BUSINESS:**

At the December 17, 2018 meeting, President McIlroy read the correspondence received from National Grid regarding replacing existing HID National Grid-owned roadway street lights to efficient LED roadway street lights at minimal cost as part of National Grid's Outdoor Street Lighting LED Conversion Program stated he will set up a meeting with National Grid to discuss our options and further requested the Clerk/Treasurer to hold this over until the January 22, 2019 meeting.

Update 1/22/19: President McIlroy and the Clerk/Treasurer met with Ms. Egeberg from National Grid regarding their street lighting conversion program. President McIlroy stated if the Village has National Grid convert our non-ornamental street lighting, it will cost approximately \$10,000 and National Grid has a first come, first serve incentive program which will pay approximately \$20,000 after the conversion is complete; therefore the Village will net \$10,000. If the Village chose to convert, the delivery fees on the bill will increase and energy usage will decrease; which should provide minimal savings. President McIlroy asked the Clerk/Treasurer to hold this over until the February 19, 2019 meeting as RACOG is looking at a different option for LED street lighting.

Update 2/19/19: President McIlroy requested the Clerk/Treasurer to hold this over until the March 18, 2019 meeting.

Update 3/18/19: President McIlroy stated that he has participated in RACOG meetings with the New York Power Authority who is offering an option for the Village to convert to LED lighting and own their street lights. The New York Power Authority projects if the Village converts to LED lighting and buys out National Grid, the Village will save approximately 75% for street lighting after the debt is repaid which they project will be ten years. President McIlroy asked the Clerk/Treasurer to hold this over until the April 15, 2019 meeting to allow more time to gather information.

Update 4/15/19: President McIlroy stated that there have been several meetings regarding purchasing our street lighting and the future cost savings and benefits of implementing smart city technology.

Motion by Trustee Franchini and seconded by Deputy President Astafan authorizing President McIlroy to sign the Energy Services Program Master Cost Recovery Agreement Between Power Authority of the State of New York and Village of Carthage to facilitate the design phase of the LED street light project. Motion carried unanimously.

At the March 18, 2019 meeting the Board authorized President McIlroy to sign the agreement with Teamsters Local 687 and Village of Carthage DPW contingent upon Article 3 being revised to reflect the current state of the law following the Supreme Court decision on non union employees.

Update 04/15/19: President McIlroy read the letter submitted by members of the Department of Public Works (DPW) stating the union agreement presented and approved by the Village Board on March 18,

2019 was not viewed by DPW members prior to being submitted to the Village Board. The DPW expressed there is language in the contract which was written differently than what they discussed with their union representatives.

Motion by President McIlroy and seconded by Deputy President Astafan requesting the Clerk/Treasurer to send a response to DPW members informing them that the contract approved by the Village Board was drafted and received by Teamsters Local 687 representative Mickey Smith; the Village Board assumed the contract was shared with DPW employees prior to sending it to the Village Board as it should have been; and further they are willing to meet with union representatives to discuss this issue. Motion carried unanimously.

At the March 18, 2019 meeting, Trustee Franchini inquired about the status of repayment for costs incurred for 524 Francis Street and Attorney Russell stated he will speak to the property owner's attorney to find out the repayment status for this property.

Update 04/15/19: Attorney Russell spoke with the attorney representing the property owner of 524 Francis Street who stated they are seeking damages from the property owner's insurance company. Attorney Russell further stated he will continue to follow up on this issue. The Clerk/Treasurer stated she re-levied the amount on the Village tax bill.

**NEW BUSINESS:**

Motion by Trustee Franchini and seconded by Deputy President Astafan to accept the WPCF tentative budget as presented and approved by the WPCF Board on February 20, 2019, and further adopt it as the WPCF final budget for the fiscal year June 1, 2019 – May 31, 2020 in the amount of \$2,115,859.00. Motion carried unanimously.

President McIlroy stated the Property Tax Cap Form was submitted to NYS Office of the State Comptroller on April 11, 2019.

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini authorizing President McIlroy and the Clerk/Treasurer to sign the Tax Warrant for 2019 as follows:

Total taxes for current budget	\$1,148,683.00
Delinquent water charges	\$ 3,326.16
Delinquent sewer charges	<u>\$ 161,400.64</u>
Total	\$1,348,598.80

Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer authorizing President McIlroy to sign the Bond Counsel Agreement with Barclay Damon for the Sewer Collection Project in an amount not to exceed \$24,900.00. Motion carried unanimously.

Motion by Trustee Franchini and seconded by Deputy President Astafan authorizing President McIlroy to sign the Legal Services Agreement with Barclay Damon for the Sewer Collection Project in an amount not to exceed \$24,500.00 in legal services excluding out of pocket expenses. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer authorizing President McIlroy to sign the consent for the Village of West Carthage to act as lead agency for the Water Storage Tank Replacement Project. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Deputy President Astafan authorizing Kathleen Latremore and four DPW employees to attend the Ninth Annual Black River Watershed Conference on

June 4, 2019 at Aldersgate Camp and Retreat Center in Brantingham, NY at a cost not to exceed \$125.00 plus mileage. Motion carried unanimously.

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer authorizing the Clerk/Treasurer to transfer the proceeds received from Auctions International in the amount of \$9,070.00 for the sale of the 2014 Ford Explorer police vehicle from the General Fund to Police Car Reserves. Motion carried unanimously.

Motion by Deputy President McIlroy and seconded by Trustee Franchini to accept the quote received from Upstate Landscape & Supply for landscaping maintenance of the Village Green, Clerk's Office, Monument Park, DPW sign, and Carthage Park sign for the 2019 season in an amount not to exceed \$4,240.00. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Franchini to have President McIlroy present a Certificate of Appreciation to Penny Ellis in recognition of her dedication and commitment to our community at the Citizen of the Year Award Dinner hosted by the Carthage Area Chamber of Commerce on April 24, 2019. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to approve budget transfers for account balancing as follows:

AA.1620.4210	Building Insurance	50.00	
AA.1620.4320	Building Contracts/Maint Agreements	500.00	
AA.5010.4320	Street Admin Contracts/Maint Agreements	150.00	
AA.7140.4420	Athletic Field Building Maint	1,000.00	
AA.9040.8015	Workers Compensation	400.00	
AA.1990.4000	Contingencies		2,100.00
FX.9040.8015	Workers Compensation	75.00	
FX.1990.4000	Contingencies		75.00
GG.9040.8015	Workers Compensation	170.00	
GG.1990.4000	Contingencies		170.00

Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Deputy President Astafan to accept the monthly Departmental Reports as presented by the Court, DPW, Police, Treasurer, and Water. The CEO report was not submitted. Motion carried unanimously.

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 \$131,912.30; Special Grant Fund \$19,683.17; Water Fund \$15,212.13; and Sewer Fund \$15,714.29. Motion carried unanimously.

**ATTORNEY RUSSELL:**

Attorney Russell stated the Teamsters 687 filed a Declaration of Impasse with New York State Public Employment Relations Board regarding the Police Department. Chief Huber stated the Police Department employees seemed unaware of this filing.

**PRESIDENT McILROY UPDATE:**

President McIlroy stated there is a RACOG meeting at the Town of Wilna on April 16, 2019 at 6:00 p.m.; Joint Utility meetings on April 17, 2019 at 4:00 p.m. at the Village of Carthage Municipal Building; MS4 meeting at the Village of Black River Municipal Building on April 18, 2019 at 1:00 p.m.; CIDC meeting at the Town of Wilna Municipal Building on April 24, 2019 at 4:00 p.m.; and Joint Utility meetings on May 15, 2018 at 4:00 p.m. at the Village of West Carthage Municipal Building.

**LIAISON REPORTS AND COMMENTS:**

None.

**MEDIA QUESTIONS:**

None.

**EXECUTIVE SESSION:**

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer to enter Executive Session at 6:40 p.m. to discuss the employment history of a particular police officer to include Chief Huber. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Deputy President Astafan to resume Regular Session at 6:52 p.m. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to send Officer Michael Higman to Anger Management Training provided PIVOT Employee Assistance Program. Motion carried unanimously.

**ADJOURNMENT:**

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer to adjourn at 6:52 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy O'Shaughnessy  
Village Clerk/Treasurer