

Regular Meeting of the Village of Carthage Board of Trustees
Held in the Board Room of the Village of Carthage Municipal Building
June 17, 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: Edgar Countryman, DPW Superintendent; Joseph Russell, Village Attorney; Mickey Dietrich, Tug Hill Commissions; Joanne Lazore, Recreation Director and Darren Bracy.

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 May 20, 2019 regular meeting as presented. Motion carried unanimously.

PUBLIC FORUM:

Mr. Bracy stated he has lived at 945 West Street for several years and loves where he lives with the exception of the traffic that passes by his house. Mr. Bracy expressed there are no sidewalks, drivers exceed the current speed limit, and he is concerned for pedestrians and children in the area. Mr. Bracy presented a petition with his neighbors signatures, requesting the Village to reduce the speed limit on West Street from Thorpe Street to the end of the Village limits from thirty miles per hour to twenty or twenty-five miles per hour. After considerable discussion, President McIlroy stated he will forward Mr. Bracy's concerns to the Police Chief and ask that he submit his recommendation to the Board.

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

CORRESPONDENCE:

Motion by Trustee Franchini and seconded by Deputy President Astafan to permit the juniors of Girl Scout Troop 50131 to clean up areas throughout the Village and further place election board size signs in the areas to raise community awareness and challenge the community to keep those areas clean. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to approve the request of the Carthage Fire Department to use the fields and the Recreation Building at the Carthage Park on September 14, 2019 for their second annual softball tournament to raise funds for Believe NNY contingent upon a certificate of insurance is provided prior to the event. Motion carried unanimously.

PUBLIC FORUM:

President McIlroy asked Ms. Lazore if she wanted to speak to the Board. Ms. Lazore explained the Summer Recreation Program maybe shorter this year due to school getting out so late. Ms. Lazore further explained that CAPC will only be providing lunches for seven weeks instead of eight weeks.

Motion by Trustee Smith-Spencer and seconded by Deputy President Astafan to hire the following Recreation Assistants for the Summer Recreation Program as recommended by Ms. Lazore: Shannon Margrey and Jessica Altmire, part-time Director Recreation Assistants; Jonathan Peck and Cassidee Stepanek Recreation Assistants. Motion carried unanimously.

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer to hire Rachael Nevills and Mikhala Martens as Recreation Assistants for the Summer Recreation Program, as recommended by Ms. Lazore, under the Pratt Northam funding as they are both pursuing degrees in Childhood Education. Motion carried unanimously.

CORRESPONDENCE:

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to approve the request of the Town of Wilna to share the cost in the amount of \$7,000.00 to have an appraisal conducted for Carthage Energy, LLC as they are grieving their assessment from 2016 – 2018 and further authorize the Clerk/Treasurer to transfer funds from AA.1990.4000 Contingencies to AA.1355.4000 Assessment Contractual in the amount of \$7,000.00. Motion carried unanimously.

President McIlroy read the correspondence received from the Judge Shettleton informing the Board that court records are ready to be audited.

President McIlroy read Administrative Order, Docket No. SDWA-02-2019-8030 received from the United States Environmental Protection Agency (EAP) regarding the Carthage Water System. President McIlroy stated the Village of West Carthage received a similar administrative order and assured the Board that Mr. Prieto is working on a response for both Villages. Trustee Smith-Spencer stated she also spoke with Mr. Prieto who has been in contact with EAP representatives and is eighty percent done with the response to them.

President McIlroy stated the notice from Miller's Turf is included in the Boards packet for their information regarding the herbicide application of Aquacide Pellets to Pleasant Lake and water use restrictions.

President McIlroy read the correspondence from the Carthage Lions Club regarding their donation to the Summer Recreation Program in the amount of \$200.00. The Board expressed their gratitude for the generous donation to the program.

President McIlroy stated the Town of Wilna Joint Planning Board minutes for June 5, 2019 are included for the Boards information.

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: The Board authorized 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.

Update 5/20/19: President McIlroy requested the Clerk/Treasurer to hold this over until the June 17, 2019 meeting.

Update 6/17/19: President McIlroy stated there will be a meeting later this month for all of the members who signed on to the LED lighting program with the New York Power Authority.

At the March 18, 2019 meeting, the Board approved an agreement with the Town of Wilna on behalf of Water District #1 from April 1, 2019 – April 1, 2039.

Update 05/20/19: The town had their attorney review the agreement and returned it with his comments. President McIlroy requested the Clerk/Treasurer to send the agreement with revisions to Attorney Russell to incorporate his comments.

Update 06/17/19: Attorney Russell incorporated the majority of the comments received from the Town attorney and stated they were not substantial.

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer to authorizing President McIlroy to sign the agreement as amended with the Town of Wilna on Behalf of Water District #1 (PWS2230095) and the Village of Carthage and further requested have Trustee Smith-Spencer review with the Water Superintendent. Motion carried unanimously.

At the May 20, 2019 meeting, the Town of Wilna sent correspondence terminating the Code Enforcement Officer agreement effective June 16, 2019. The position was advertised, two applications were received and President McIlroy, Trustee Vary and the Clerk/Treasurer served on the interview committee.

Update 06/17/19: President McIlroy stated the two applicants were interviewed and the committee recommended Reginald Huber, Police Chief.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to add the additional responsibilities of Code Enforcement Officer to the Police Chief's position, currently held by Reginald Huber, and further include additional compensation in the amount of \$12,000.00 annually. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Deputy President Astafan to have Attorney Russell develop a month to month agreement with Robert Ball, Certified Code Enforcement Officer, to provide consultant services for Code Enforcement until Chief Huber receives his credentials as a Code Enforcement Officer. Motion carried unanimously.

At the May 20, 2019 meeting, President McIlroy stated he had Police Mediation for their contract which expires May 31, 2019.

Update 06/17/19: President McIlroy requested to hold this over for Executive Session to discuss collective bargaining.

At the May 20, 2019 meeting, President McIlroy stated the new CEO approved a fence to be installed one foot from the sidewalk on the corner of Fulton Street and North James Street. Village Code states the fence needs to be no less than three feet from the sidewalk therefore President McIlroy requested the Clerk/Treasurer to forward it to the Joint ZBA for their consideration.

Update 06/17/19: The Zoning Board of Appeals denied the Village's request for a variance as the Code Enforcement Officer approved the fence.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer since the CEO screwed up and approved the fence which does not meet Village Code, it is an unfair financial burden to the tenant who paid to have the fence placed incorrectly therefore the Village should pay for the removal and enactment of the fence according to Village Code and further notify the Town of the cost to the Village as the Village had a contract for CEO services during that time period. Motion carried unanimously.

At the April 15, 2019 meeting, the Board authorized 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	\$ 161,400.64
Delinquent property maint chgs	<u>\$ 35,189.00</u>
Total	\$1,348,598.80

Update 06/17/19: Jefferson County notified the Village that they could not include the cost to clean up Francis Street due to a fire for this tax year and water and sewer charges were paid prior to the start of collecting taxes.

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

Total taxes for current budget	\$1,148,683.00
Delinquent water charges	\$ 2,048.79
Delinquent sewer charges	\$ 161,001.76
Delinquent property maint chgs	<u>\$ 4,080.00</u>
Total	\$1,315,813.55

NEW BUSINESS:

Motion by Trustee Smith-Spencer and seconded by Deputy President Astafan to adopt Resolution 2 of 2019 as follows:

Authorizing an Amendment to Change the Estimated Expenditure for Snow & Ice Agreement Between

New York State Department of Transportation and the Village of Carthage

Whereas, the New York State Department of Transportation requests an additional resolution to release funds due to the Village of Carthage for the 2018/19 season;

Therefore, Be It Resolved, the Village of Carthage hereby authorizes, in consideration of the mutual covenant and benefits contained therein, an Amendment to Change the Estimated Expenditure for Snow & Ice Agreement for the 2018/19 Season; and

Be It Further Resolved, all the terms and conditions of the original agreement remain in effect except as follows and the contract adjustment figure indicates the amount of additional money needed to be placed on the contract so that obligations for the 2018/19 season can be met.

Original Estimated Expenditure 2018-19	Amount Paid for 18-19 Season	Remaining on Contract	Contract Adjustment
\$54,675.39	\$36,632.51	\$4,759.17	\$13,283.71

The foregoing resolution was carried unanimously.

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer authorizing President McIlroy to sign the Agreed Upon Procedures with Stackel and Navarra, CPA PC in an amount not to exceed \$5,750.00. Motion carried unanimously.

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini authorizing President McIlroy to sign an agreement with Kinsley Power Systems for annual generator maintenance in the amount of \$745.00. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to adopt Resolution 3 of 2019 as follows:

WHEREAS, the Board of Trustees of the Village of Carthage are in the process of planning and implementing improvements to its Wastewater Collection System (the "Project"); and

WHEREAS, Part 1 of a Long Form Environmental Assessment Form ("EAF") containing the Project Scope was duly prepared by the Village Engineer, and copies thereof have been forward to each of the other involved agencies; and

WHEREAS, the Board of Trustees has been duly established as the lead agency for the environmental review pursuant to the New York State Environmental Quality Review Act, and the regulations promulgated thereunder at 6 NYCRR, part 617 ("SEQRA"); and

WHEREAS, this Board has reviewed Part 2 of the EAF as it pertains to the Project scope

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Carthage as follows:

Negative Declaration

1. The foregoing recitations are incorporated herein and made part hereof as if fully set forth hereafter.
2. Upon review of Part 2 of the EAF as it pertains to the project scope, this Board finds six moderate to large impacts may occur as a result in the Project scope; to wit:
 - a. Construction on land where depth to water table is less than 3 feet;
 - b. Construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface;
 - c. Construction that continues for more than one year or in multiple phases;
 - d. Construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water bod.
 - e. Produce sound above noise levels established by local regulation; and
 - f. Result in blasting within 1,500 feet of any residence, hospital, school, licensed daycare center, or nursing home.
3. Although there are six areas indicating moderate to large impacts occurring as a resolution of the Project scope, it is not expected that a significant adverse environmental impacts will result from these impacts. Any potential impacts will be mitigated as follows:
 - a. It is anticipated that the proposed project will occur in multiple phases beyond one year. This will allow the Village to obtain adequate funding and will also reduce the amount of land disturbed at one time. Therefore, completing the proposed project in multiple phases is not anticipated to have significant averse environmental impacts.
 - b. A portion of the proposed project will be performed in state regulated wetlands and in areas where the depth to water table is less than 3 feet. The existing sewer system in these areas are expected have cracking and subsequent infiltration and possible ex-filtration. Any construction performed on the sewer system to mitigate the infiltration and ex-filtration

in these areas are expected to benefit the environment and not expected to have an adverse environmental impact.

- c. The proposed action may result in blasting within 1,500 feet of residences, schools, licensed daycare centers, or nursing homes. This will be necessary in areas where rock is encountered. Rock is anticipated since the depth to bedrock is less than 5 feet below the existing ground surface. However, the contractor will have to prepare a blast plan for any blasting to be done in road rights-of-way. The blasting may produce noise that is above the levels established by local regulation. All blasting is anticipated to occur within road rights-of-way and is not anticipated to have any significant adverse environmental impacts.
 - d. The proposed project is necessary to perform repairs and modifications to improve the sewer systems. The proposed project will be beneficial to the environment by decreasing the amount of energy required to treat the wastewater and decrease the likelihood of contamination through ex-filtration and from ponding because of back-ups. Mitigation measures will be in-place to reduce any construction runoff. Overall, the project will not have any significant adverse environmental impacts.
4. This Board hereby determines that the findings and determinations issued in Part II of the Full Environmental Assessment Form are hereby confirmed, and the Negative Declaration attached to this resolution is hereby adopted and the Village Clerk for the Village of Carthage is hereby directed to file the same in the Village Clerk's office in a file readily accessible to the public.
 5. The Village Clerk is directed to mail, by return receipt requested, a copy of the Negative Declaration to each of the involved agencies.
 6. The Village Clerk is directed to publish the Negative Declaration the Environmental News Bulletin.
 7. All subsequent notices concerning this Project shall note that this Board has issued a Negative Declaration.
 8. This resolution shall take effect immediately.

The foregoing resolution was duly adopted unanimously.

Motion by Trustee Franchini and seconded by Deputy President Astafan to adopt Resolution 4 of 2019 as follows:

BOND RESOLUTION

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OR A STATUTORY INSTALLMENT BOND NOT EXCEEDING \$2,245,000 FOR THE VILLAGE OF CARTHAGE WASTEWATER COLLECTION IMPROVEMENTS TO REDUCE INFILTRATION AND INFLOW TO THE VILLAGE'S SANITARY SEWER SYSTEM.

BE IT RESOLVED, by the Village Board of the Village of Carthage, Jefferson County, New York, as follows:

Section 1. The improvements to the Village of Carthage Wastewater Collection System are in the interest of the citizens of the Village of Carthage. The estimated cost of such specific objects or purposes as determined by the engineers hired by the Village is a maximum cost of \$2,245,000.

Section 2. It is hereby determined that the period of probable usefulness of the aforesaid improvements to the Village of Carthage Wastewater Collection System Project is forty (40) years; pursuant to subdivision (a)(4) of Section 11.00 of the Local Finance Law. It is further determined that no down payment is required pursuant to Section 107.00 of the Local Finance Law.

Section 3. The plan for the financing of such estimated cost for such objects and purposes is by a grants and low interest financing through the Water Quality Improvement Project (WQIP) and/or the New York State Water Infrastructure Improvements Act (WIIA), United States Department of Agriculture (USDA), and/or through the New York State Environmental Facilities Corporation (EFC) and/or the issuance of serial bonds or a statutory installment bond not exceeding \$2,245,000 of said Village, hereby authorized to be issued therefor pursuant to the Local Finance Law, for a period in excess of five (5) years.

Section 4. The faith and credit of the Village of Carthage, Jefferson County, New York is hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall annually be levied on all sewer users of said Village, sewer rents sufficient to pay the principal of and interest of such bonds as the same become due and payable.

Section 5. Subject to the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes of the issuance and the sale of a statutory installment bond or serial bonds herein authorized, including renewal of such notes, is hereby delegated to the Village Treasurer, the Chief Fiscal Officer. Such Notes shall be of such terms, form and contents and shall be sold in such a manner as may be prescribed by said Village Treasurer consistent with the provisions of the Local Finance Law.

Section 6. All other matters, except as provided herein relating to such obligations, including determining whether to issue such obligations having substantially level or declining annual debt service and all matters related thereto, prescribing whether to manual or facsimile signatures shall appear on said obligations, prescribing the method for the recording of ownership of said obligations, appointing the fiscal agent or agents for said obligations, providing for the printing and delivery of said obligations (and if said bond are to be executed in the name of the Village by the facsimile signature of its Village Treasurer), including the consolidation with other issues, shall be

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to formally approve year-end budget transfers as follows:

Budget Transfers 5/31/2019

AA.1010.1000	Trustee Personal Services	428.00	
AA.1010.4000	Trustee Contract Services		428.00
AA.1110.4320	Village Justice Contracts/Maint Agreements	193.00	
AA.1110.43250	Special Items to Dept.		193.00
AA.1325.1000	Treasurer Personal Services	1,795.00	
AA.1325.4320	Treasurer Contracts/Maint Agreements		1,795.00
AA.3120.1000	Police Personal Services	6,497.00	
AA.3120.4200	Police Internet	132.00	
AA.3120.4220	Police Travel & Training		3,298.00
AA.3120.4360	Police Clothing		3,331.00
AA.5010.1000	Street Admin Personal Services	1,499.00	
AA.5010.4220	Street Admin Travel & Training		1,499.00
AA.7110.4940	Farmers Market	1,083.00	
AA.7110.4932	Long Falls Park/Guyots Island		1,083.00
AA.8170.4600	Street Cleaning Vehicle/Equip Repair	1,096.00	
AA.8170.4610	Street Cleaning Vehicle Fuel		1,096.00
CD.8686.1000	Special Grant Fund Admin Personal Services	47.00	
CD.9030.8010	Special Grant Fund SS/Med	1.00	
CD.9050.8020	Special Grant Fund Unemployment	48.00	
CD.1420.4000	Special Grant Fund Law Cont		96.00
FX.9060.8030	Water Fund Hospital, Medical, Dental	1,209.00	
FX.9010.8000	Water Fund State Retirement		1,209.00
GG.8110.1000	Sewer Admin Personal Services	284.00	
GG.8120.1000	Sewer Personal Services		284.00
GG.9730.6001	Sewer Debt Principal BAN	12,500.00	
GG.9710.6004	Sewer Debt Principal Bonds		12,500.00

Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer authorizing the Clerk's Office to close on Friday, July 5, 2019 and for employees to use a personal and/or vacation time to account for the day and further authorize the Clerk/Treasurer and Deputy Clerk to alternate Fridays off from July – September 2019. Motion carried unanimously.

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

Deputy President Astafan and 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 as follows: General Fund \$311,848.48; Special Grant Fund \$198.74; Water Fund \$180,284.46; and Sewer Fund \$368,762.31. Motion carried unanimously.

ATTORNEY RUSSELL:

Attorney Russell stated the majority of his items were discussed throughout the meeting.

PRESIDENT McILROY UPDATE:

President McIlroy stated there is Joint Utility meetings June 19, 2019 at 4:00 p.m. at the Carthage Municipal Building; CIDC meeting at the Town of Wilna Municipal Building on June 26, 2019 at 4:00 p.m.; and the next regular board meeting is July 15, 2019 at 6:00 p.m.

Motion by Trustee Smith-Spencer and seconded by Deputy President Astafan to hire Tyler Hike for DPW Summer help, and further permit Mr. Countryman to hire three more college students providing they meet Village criteria for summer employment. Motion carried unanimously.

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 6:55 p.m. to discuss collective bargaining with the police department. Motion carried unanimously.

Motion by Trustee Franchini and seconded by Trustee Smith-Spencer to resume Regular Session at 7:02 p.m. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Smith-Spencer to approve the agreement between Teamsters Local 687 and the Village of Carthage Police Department for the period June 1, 2019 – May 31, 2022. Motion carried unanimously.

ADJOURNMENT:

Motion by Trustee Smith-Spencer and seconded by Trustee Franchini to adjourn at 7:03 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy O'Shaughnessy
Village Clerk/Treasurer