

Regular Meeting of the Village of Carthage Board of Trustees
Held in the Board Room of the Carthage Municipal Building
January 21, 2014

ATTENDANCE:

Members: President G. Wayne McIlroy, Deputy President Astafan and Trustees Kathleen Latremore and Rebecca Vary. Trustee Linda Smith-Spencer was excused.

Others: Mark Gebo, Village Attorney; Reginald Huber Jr., Village Police Chief; Elaine Avallone, Johnson Newspapers; and Stacy and Kristina Faunce.

CALL TO ORDER:

President McIlroy called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES:

Motion by Trustee Latremore and seconded by Trustee Vary to approve the minutes of the December 16, 2013 regular meeting as presented. Motion carried unanimously.

PUBLIC FORUM:

None.

CORRESPONDENCE:

Motion by Deputy President Astafan and seconded by Trustee Latremore to allow the Carthage Area Chamber of Commerce to use the Carthage Park and Recreation Building, and waive the rental fee, to host the 16th Annual Winterfest on Saturday, February 8, 2014 and to set up on Friday, February 7, 2014 contingent upon receipt of a Certificate of Liability Insurance. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary to formally approve the request of the Carthage Right to Life, which was previously approved via email poll, to conduct the 31st Annual Walk for Life on Sunday, January, 19, 2014 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.

The Carthage Elks Lodge and the Carthage Lions Club sent a Certificate of Appreciation to the Board for their contribution to their 5th Annual Free Thanksgiving Dinner on November 28, 2013.

President McIlroy read the letter submitted by Stacy Faunce regarding the bill he received in the amount of \$230.00 for snow removal on the sidewalks at his rental property at 744 Alexandria Street. Mr. Faunce stated a notice was placed on the property by the police and he later shoveled the sidewalks. Mr. Faunce received a notice in the mail and called the police department and Jefferson County Dispatch stated there was not an Officer on duty and they would leave a message. Mr. Faunce did not hear back from the police department so he assumed this issue was resolved then he received the bill in the mail. President McIlroy met Mr. Faunce at his property whom made a complaint about surrounding sidewalks of which President McIlroy referred to the Police Department. President McIlroy explained to Mr. Faunce that he spoke with Officer Capone and Daniel Trembley. Mr. Trembley stated the sidewalk at Mr. Faunce's property was not properly shoveled so he directed his employees to clear the sidewalks of snow and forwarded the bill to the Clerks Office. Chief Huber stated he did not receive a message of Mr. Faunce's call and that they sometimes do not receive the messages left with Jefferson

County Dispatch who provides the free service to the Village. After considerable discussion, President McIlroy stated there was nothing that the Village Board could do as the work had been done.

President McIlroy read the letter received NYS Department of Health approving the proposed revisions to the Emergency Public Water System Plan, including the analysis of vulnerability to terrorist attack that was submitted in conformance with Public Health Law § 1125.

Motion by Trustee Latremore and seconded by Trustee Vary to permit the Carthage American Legion Bassett-Baxter Post 789 to conduct a parade on Monday, May 26, 2014 to commence in West Carthage at 10:00 a.m. and proceed through Carthage to Monument Park and will further request the Police Department to close Route 3 at South Washington Street during the parade and services at Monument Park. Motion carried unanimously.

The American Legion Bassett-Baxter Post 789 invited the Village Board to partake in the Memorial Day parade activities.

President McIlroy stated he received a letter from a “concerned citizen” regarding dogs running loose who belong to Mary Sherman on South Clinton Street. The Board typically does not address unsigned complaints sent to them. Chief Huber suggested the board forward the letter to Ms. Sherman to make her aware of the complaint as the Village Police have not witnessed the loose dogs and the Board agreed.

President McIlroy read the letter copied to the Village Board from Tug Hill Commission to Governor Cuomo regarding codifying into State Highway Law classifying rural unpaved roads as Low Volume Roads and designate them as Minimum Maintenance roads. Attorney Gebo explained this is more beneficial to the area Towns, not Village roads.

OLD BUSINESS:

Attorney Gebo and President McIlroy both spoke with Ron Novak from NYSDEC regarding his findings during his inspection at 511 Adelaide Street. Mr. Novak advised the Village to document the removal of any tanks at the property. President McIlroy stated letters were sent to area residents regarding the demolition of the property.

Update 12/01/14: President McIlroy declared the demolition of 511 Adelaide Street an emergency and the Board authorized the use of Village Blight Fund for a total cost not to exceed \$75,000.

Update 01/21/14: President McIlroy reported the building is demolished and covered with dirt.

NEW BUSINESS:

Motion by Trustee Latremore and seconded by Deputy President Astafan to approve CDBG 2012 Draw #7 payable to Avalon Associates, Inc. \$12,173.71. Motion carried unanimously.

Motion by Trustee Vary and seconded by Deputy President Astafan to adopt Resolution 29 of 2013 as follows:

RESOLUTION WITH REFERENCE TO APPROVING LIEN SUBORDINATION REVISION 2009-11 CDBG GRANT PROJECT-BRADLEY GOEMAN

WHEREAS, Bradley Goeman received a 2009 CDBG grant of \$13,967 for repairs of his residence at 803 Edwards Street, Carthage, NY and has a current balance of \$8,380.20; and

WHEREAS, Mr. Goeman is pursuing refinancing of his existing mortgage and will require a lien subordination revision from the Village of Carthage in order to complete such refinancing; and
WHEREAS, Mr. Goeman's new mortgage will be for \$59,000 and will include a lower interest rate and shorter term resulting in a reduced monthly payment; and
WHEREAS, Mr. Goeman's property appraised for 134% of the total proposed mortgage and existing Village lien; and
WHEREAS, The Village Board has set forth detailed information regarding the facts of this request which is on file with the Village Clerk.

BE IT RESOLVED as follows:

Section 1. The Village of Carthage Village Board hereby authorized the lien subordination revision as proposed.

Section 2. That the President, or in his absence, the Deputy-President, or Treasurer is hereby authorized to execute any and all documents and agreements necessary to effectuate this decision.

Section 4. That the within resolution shall take effect immediately.

The foregoing resolution was duly adopted unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary authorizing President McIlroy to sign the Occupational Medicine Substance Abuse Testing Agreement with Lewis County General Hospital to perform necessary testing for Village employees who possess CDL licenses. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Vary authorizing President McIlroy to sign the Municipal Snow and Ice Agreement with the State of New York Department of Transportation to extend the agreement for the 2014-2015 season in the amount of \$54,675.39. Motion carried unanimously.

Motion by Trustee Vary and seconded by Deputy President Astafan to adopt Resolution 1 of 2014 as follows:

RESOLUTION TO ISSUE A NEGATIVE DECLARATION UNDER STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) FOR PROPOSED WASTEWATER IMPROVEMENTS

WHEREAS, The Village of Carthage proposes to undertake the following actions on the Wastewater System, located in the Villages of Carthage and West Carthage:

Replacement of equipment and architectural, structural, heating and ventilating and plumbing upgrades at the Water Pollution Control Facility

Collection System Improvements

WHEREAS said proposed action is an Unlisted Action under 6NYCRR Part 617 because the action is not listed under 6NYCRR Part 617.4 or 617.5.

WHEREAS, the Village of Carthage Village Board (hereafter, "the Board"), having approval authority over the proposed action, duly declared itself lead agency on October 7, 2013 for a coordinated review among multiple authorizing agencies per 6NYCRR Part 617.6(b)(2)(i), and has received no objection to this declaration from other agencies within 30 days, and

WHEREAS, the Board, as lead agency, must make a determination of significance of the proposed action per 6NYCRR Part 617.7, and

WHEREAS, the Board has considered the proposed action as defined in 6NYCRR Part 617.2(b) and 617.3(g), and

WHEREAS, the Board has reviewed Parts 1, 2, and 3 of a Full Environmental Assessment Form prepared for the proposed action under criteria outlined in 6NYCRR Part 617.7(c), and

WHEREAS, the Board finds that the proposed work will not result in significant adverse environmental impacts to:

Land
Water
Air
Plants and Animals
Agricultural Resources
Aesthetic Resource
Cultural or Archeological Resources
Open Space
Critical Environmental Areas
Transportation
Energy
Noise or Odor
Public Health
Community Character

And

WHEREAS, the Board finds, based on the criteria outlined in 6NYCRR Part 617.7(c), that the proposed action will not have a significant adverse impact on the environment for the following reasons:

The proposed action is not located within regulated resources (i.e. state or federally-regulated wetlands).

The proposed action will not have an effect of wildlife habitat or cultural resources according to the New York Natural Heritage Program and New York State Office of Park, Recreation and Historic Preservation.

The proposed action is not located within a state-regulated viewshed.

The proposed action will not impact local traffic or adversely affect public health or community character.

The proposed action is anticipated to provide long-term water quality and environmental benefits by improving wastewater treatment operations at an existing water pollution control facility.

THEREFORE, BE IT RESOLVED that the Board shall adopt in its determination of significance under 6NYCRR Part 617.7, this *NEGATIVE DECLARATION*, indicating that information provided in the Full Environmental Assessment Form attached hereto has sufficiently demonstrated that the proposed action will not result in significant adverse environmental impacts, and that an Environmental Impact Statement need not be prepared.

The foregoing resolution was duly adopted unanimously.

Motion by Trustee Latremore and seconded by Deputy President Astafan to adopt Resolution 2 of 2014 as follows:

**AUTHORIZING A NYS-EFC CLEAN WATER STATE REVOLVING FUND APPLICATION
(CWSRF) TO COMPLETE PROPOSED WASTEWATER IMPROVEMENTS INVOLVING
THE JOINT WASTE WATER SYSTEM OF THE
VILLAGES OF CARTHAGE AND WEST CARTHAGE, NY**

WHEREAS, The Village of Carthage proposes to undertake Waste Water System improvements located in the Villages of Carthage and West Carthage including but not limited to replacement of

equipment and architectural, structural, heating and ventilating and plumbing upgrades at the Water Pollution Control Facility and Collection System Improvements, and
WHEREAS, The Village of Carthage is proposing to submit a NYS-EFC Clean Water State Revolving Fund Application requesting up to \$ 8.8 million in CWSRF financing to complete such improvements, and

WHEREAS, an Engineering Report has been completed with regard to the project and has been submitted to NYS-EFC, and

WHEREAS, The Village of Carthage Village Board as Lead Agency has issued a SEQRA Negative Declaration of this action after coordinated review in accordance with 6NYCRR Part 617, and

WHEREAS, The Village of Carthage Village Board has approval authority over the proposed project.

BE IT RESOLVED AS FOLLOWS:

- * The Village of Carthage Village Board hereby authorizes submittal of a CWSRF Application to complete waste water system improvements including but not limited to replacement of equipment and architectural, structural, heating and ventilating and plumbing upgrades at the Water Pollution Control Facility and Collection System Improvements.
- * That the President, or in his absence, Deputy President, is hereby authorized to make application for CWSRF Assistance for the project described in the application to the NYS Environmental Facilities Corporation, and to execute any and all documents, contract, funding disbursements, agreements and instruments necessary to bring about the Project and to fulfill the Village of Carthage's obligations under the CWSRF Assistance.
- * That this resolution shall take effect immediately

The foregoing resolution was duly adopted unanimously.

Chief Huber submitted a request to the Board to post no parking on Village streets from 2:00 a.m. to 6:00 a.m. signs so they are visible to residents on Duke Street and Norris Street. President McIlroy requested the Clerk/Treasurer to have Mr. Trembley move the Village limits sign, which contains the parking ban sign, to be placed prior to Duke Street.

Motion by Trustee Latremore and seconded by Trustee Vary to approve the Wastewater Pollution Control Facilities Teamsters Union Contract effective April 1, 2013 – March 31, 2018 on approval of council. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Deputy President Astafan to set a public hearing to override the 2015 tax cap on February 18, 2014 at 7:10 p.m. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Latremore to accept the monthly departmental reports from the Community Development, Court, DPW, Police, Treasurer, and Water Department as presented. Motion carried unanimously. The CEO report was not submitted.

Motion by Deputy President Astafan and seconded by Trustee Latremore to approve payment of payrolls and bills as follows: General Fund P/R 12/19/13, 12/26/13, 01/02/14, 01/09/14 and 01/16/14 \$39,873.70; Water Fund P/R 12/19/13, 12/26/13, 01/02/14, 01/09/14 and 01/16/14 \$10,382.60; Sewer Fund P/R 12/19/13, 12/26/13, 01/02/14, 01/09/14 and 01/16/14 \$14,041.44; Joint Fund P/R 12/26/13, and 01/09/14 \$18,333.47. General Fund Abstracts \$158,424.08; Water Fund Abstracts \$16,159.38; Sewer Fund Abstracts \$12,465.21; and Joint Fund Abstracts \$162,125.46. Motion carried unanimously.

PRESIDENT MCILROY UPDATE:

President McIlroy stated there will be a MS4 Stormwater meeting on January 22, 2014 at 1:00 p.m. at the Village of Black River and a CIDC meeting at 4:00 p.m. President McIlroy requested an Executive Session to discuss an agreement, which if discussed in public, could jeopardize the agreement.

ATTORNEY GEBO UPDATE:

Attorney Gebo stated his items were addressed throughout the meeting.

LIAISON REPORTS AND COMMENTS:

Deputy President Astafan requested an Executive session to discuss the employment history of two particular DPW employees.

MEDIA QUESTIONS:

Ms. Avallone requested clarification for items discussed throughout the meeting.

Chief Huber stated that his department is not singling anyone out when they issue snow removal violations. His department has cited over 58 properties this season which is time consuming for his department.

EXECUTIVE SESSION:

Motion by Trustee Latremore and seconded by Trustee Vary to enter Executive Session at 7:46 p.m. to discuss a pending agreement which if discussed in public could jeopardize the agreement; and the employment history of two particular DPW employees and invite Attorney Gebo to attend. Motion carried unanimously.

Motion by Trustee Latremore and seconded by Trustee Vary to resument Regular Session at 8:40 p.m. Motion carried unanimously.

Motion by Deputy President Astafan and seconded by Trustee Vary to permit Daniel Trembley, DPW Superintendent, to hire Timothy Steiner as a Full-time Temporary employee to fill the vacancy of Mark Roberts who is on a medical leave. Motion carried unanimously.

ADJOURNMENT:

Motion by Trustee Latremore and seconded by Trustee Vary to adjourn at 8:42 p.m. Motion carried unanimously.

Respectfully Submitted,

Kristy L. O'Shaughnessy
Village Clerk/Treasurer