

**2021**  
**MINUTES OF PUBLIC HEARINGS & REGULAR MEETING HELD AUGUST 9, 2021**  
**IN PERSON MEETING**

Present:

Paul H. Smith	Supervisor
Patrick Britton	Councilman
Susan Storms	Councilman
Shari Gerber	Councilman
Frank Skvorak	Councilman
Lori Borland	Town Clerk
Rebecca Shultz	Deputy Clerk
Jim Yuhas	Bookkeeper
Mary Ann Yuhas	Clerk to the Supervisor
Terry McKeever	Code Enforcement Officer
Robert Ball	Assessor
James Burrows, Esq.	Town Attorney
Mickey Dietrich	RACOG Circuit Rider
Michael O'Shaughnessy	Highway Superintendent
Elaine Avallone	Press
Several members of the Public	

Supervisor Smith called the Public Hearing #1 to order at 6:45 p.m. and the Pledge of Allegiance was recited. The purpose of the public hearing was read, (regarding the unsafe buildings/structures that were cited previously). Attorney Burrows reviewed the steps regarding unsafe buildings/structures. He noted that he had received the lien searches and has notified all interested parties before this public hearing. He commented on the following:

1. Bartlett Gill Property: 43968 NYS Rt. 3, Natural Bridge: The building collapsed due to snow load, Town highway crew secured the site; the inspection report was done and it was declared an emergency situation, notice was given to all interested parties; an asbestos survey is underway now by Atlantic Testing Laboratories and an engineer has been contacted to oversee the operation. One member of the public asked about the time frame of when the clean up was to be done, and it was noted that within the next two or three weeks the work should begin.
2. Reginald Smith Estate: 36868-880 NYS Rt. 3, Carthage: Mr. Burrows noted that this property has some serious problems according to the inspection report. A public hearing was held and the property was re-inspected by the Code Officer. National Grid will be disconnecting the power to the trailer and house and the gas line will also be removed by 8/17/2021; The manufactured home is partially on National Grid property, and there has been written confirmations received that the structures are dangerous and need to be removed. Notice needs to be given to National Grid when the removal is scheduled. Several members of the public were in attendance including the squatter on the property. The following persons expressed their explicit opposition to the removal of the structures: William F. Parks, Katie Fuller, Bruce Fuller, Nancy Fuller all opposed. These persons disagreed with the removal, however, offered no information to show that the properties were not dangerous. Bruce Fuller and William F. Parks made note of challenging the same in the Supreme Court, however, Mr. Burrows indicated to them that they need a "legal interest" in the property in order to do so, which they do not have.
3. Edith Hajdasz Property: 23460 Boyd Road, Carthage: Mr. Burrows noted that the inspection report had been completed, a public hearing was held and the lien search was done. Roberta Bryant, Ms. Hajdasz's niece, was present and noted that her aunt had left the property to her upon her death, however, there was no estate proceedings in the Court. Notices had been sent to her at her address in Pennsylvania. Ms. Bryant stated that she agreed that the property is unsafe and needs to be demolished, and she will proceed accordingly.
4. James Helmer Property: 44097 Lime Street, Natural Bridge: Mr. Burrows noted that the inspection report was done, public hearing held and notices were sent to the interested persons. Mr. Helmer noted previously that the property was for sale, and he was expected to appear at the meeting tonight, but did not. Mr. Burrows noted that photos need to be obtained by the Code Officer.

5. Foy Property: 43869 County Rt. 41, Natural Bridge: Mr. Burrows noted that the inspection report has been done, public hearing was held and notices were given to interested parties. He further noted that none of the potential heirs to the property are interested and this is to move ahead in the process.

There was a question about the James Potter property in Natural Bridge, and Mr. McKeever noted that that property issue will be addressed at the next meeting.

The public hearing was closed at 7:31 p.m. pursuant to a motion made by Councilman Britton, seconded by Councilman Storms.

Supervisor Smith called Public Hearing #2 to order at 7:31 p.m. The purpose of the meeting was to hear the public comments, if any on the Battery Storage Law. No one spoke, and the Public Hearing #2 was closed at 7:32 p.m. pursuant to a motion made by Councilman Skvorak, seconded by Councilman Gerber.

Supervisor Smith called Public Hearing #3 to order at 7:32 p.m. The purpose of the meeting was to hear public comments about the retail sales of cannabis in the Town. A decision to opt in or opt out by the Town must be done by December 31, 2021. This Public Hearing was held open and will continue until such time as the Town wants to act.

Supervisor Smith called the Regular Meeting to order at 7:32 p.m.

Motion was made by Councilman Storms, seconded by Councilman Britton to approve the minutes from the Public Hearing and Regular meeting held on July 12, 2021. Unanimously passed, carried.

Privilege of the Floor: Mickey Dietrich, Circuit Rider for RACOG was present and noted that the next RACOG meeting will be a date to be determined in September. "Friends of the Black River" Group is interested in historical sites along the river, and there is continuation of marking the navigation hazards. DEC is interested and there are boats needed to accomplish this. He noted that the Fort Drum intern has started today and will begin mapping the Historical Sites along the Black River.

William Parks had inquired earlier in the day about whether or not the Oaths of Office for the Town Council had been filed with the County Clerk. Mr. Burrows explained to him at this meeting, that the only Oath of Office that needs to be filed with the County Clerk would be for the Town Justice, which has been done. All other Oaths of Office are filed with the Town Clerk in the Oath Record Book, which is kept on site at the Town Office.

Communications: Supervisor Smith read a letter of resignation from Sheila Prospero, the Town Historian which was accepted.

A letter from the Division of the Budget in Albany was received by the Clerk to the Supervisor, Mary Ann Yuhas, noting that our Town is eligible to receive \$232,282 from the ARPA Coronavirus Local Fiscal Recovery Fund, which will be paid to us one half this Summer, and the other half in the Summer of 2022. Mrs. Yuhas noted that there are restrictions on the use of these funds, and any projects need to be complete by 2026.

Community Development Director Report: Sarah Bullock reported that she has done a walk through at the old Railroad Depot and has reviewed the proposals received. Regarding the Brownfield Opportunity Area matter for the old Deferiet mill property, an application has been submitted on July 30, and the award announcement is expected in December. Regarding the Herrings Wastewater Disinfection Project, final application was submitted on July 30, with an award announcement expected in December. Empire State Development has notified that there is a new round of Downtown Revitalization Initiative Funds available in the amount of \$10M for the region. Applications are due by September 30, and she will be spending the next couple of months preparing that submission on behalf of the Village of Carthage.

Town Highway Superintendent Report: Michael O'Shaughnessy noted that county roads and town roads are mowed, cold patching has been done. Work is continuing on Hickey Road with the culverts, shoulders and ditches, trimming trees. He noted that as soon as the County paver becomes available, the paving will be done. Routine maintenance has been continuing on the equipment, and he would like to discuss purchasing the two way radios spoken about during budget time.

Dog Control Officer Report: None – Supervisor Smith noted that Mr. Hall needs to continue to give monthly reports, as he has not given one in quite a while.

Town Clerk Report: Water district collections for July were \$16,739.67. Town Clerk fees for July were \$1051.50. Transfer site fees collected for July were \$3708.00.

Code Enforcement Officer Report: Terry McKeever's information was given during Public Hearing #1 this evening.

Assessor's Report: Robert Ball, Assessor reported that he has computer problems with the County updating his laptop, and that he has been doing field work.

Attorney's Report: Attorney Burrows noted that regarding the Carthage Energy Assessment Challenge, that the Judge has delayed the submission of papers to discuss a possible settlement.

Town Supervisor's Report: Motion was made by Councilman Storms, seconded by Councilman Gerber to approve the July Supervisor's Report. Unanimously passed, carried.

Vouchers: Motion was made by Councilman Skvorak, seconded by Councilman Gerber, to approve the vouchers in Abstract #8 in the amount of \$62,794.64. Unanimously passed, carried.

#### Old Business:

Union Contract – Contract negotiations are set for 8/19/21 at 10:00 a.m.

Highway Roof Replacement – Bid opening was earlier this afternoon, with Titan Roofing of Springfield, MA being the low bidder, with construction to begin in the spring of 2022.

**RESOLUTION #21-2021** - Motion was made by Councilman Skvorak, seconded by Councilman Britton to accept the low bid from Titan Roofing of \$228,700, contingent upon BCA Architects reading the entire bid and double-checking the math. Roll call vote was taken and all voted Aye. Motion carried.

LED Lighting – It was noted that five municipalities are approaching a closing date. Questions have arisen on the Letter of Credit or Surety Bond costs. Letter of Credit may cost the Town \$1120, which is included in the NYPA quote. It was noted that National Grid requires a minimum of \$5M insurance coverage and indicated that was a PSC requirement. The Town currently has \$2M coverage and the additional \$3M would cost about \$2500 per year. There is a call scheduled with the Public Service Commission (PSC) on August 17, 2021 at 10:00 a.m. to discuss the insurance requirement question. It was noted that possibly the RACOG communities could join together for an Umbrella policy for the extra coverages needed. There is a deadline with National Grid of August 20, 2021 in order to close in September. It was noted that there is a County Shared Service Plan for the maintenance of the lights.

New Business:

Budget Transfers: Motion was made by Councilman Britton, seconded by Councilman Gerber to approve the budget transfers as noted. Motion passed unanimously, carried.

Regarding the Unsafe Properties/Structures as was discussed in Public Hearing #1,

**RESOLUTION #22-2021** - Motion was made by Councilman Britton, seconded by Councilman Storms, to move ahead on all of the properties discussed. This is a blanket motion to include all the properties. Motion passed unanimously, carried.

There are two large leather Judge's chairs that came from the Court, and a motion was made by Councilman Storms, seconded by Councilman Britton to declare these chairs as surplus. Motion passed unanimously, carried.

Regarding the Battery Storage Law, a motion was made by Councilman Britton, seconded by Councilman Storms, to adopt the Battery Storage Law as provided. Motion passed unanimously, carried. If the County Planning Board needs to review the same, it will be forwarded to them for review and followed up on after they have given their consent.

Paperwork to the County Planning Board is being done by Jon Storms, the Planning Board Chair and final papers will be sent to the attorney for filing with the State at the time it is required.

**RESOLUTION #23-2021** – Be it RESOLVED that the Battery Storage Law is adopted as set forth previously to the Board as Local Law #2-2021 and is to go to the County Planning Board if necessary, and thereafter, to the Attorney for filing with NYS.

There being no further business to come before the Board, a motion was made by Councilman Gerber, seconded by Councilman Skvorak to adjourn. Meeting adjourned at 8:31 p.m.

Respectfully submitted:

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Lori Borland, Town Clerk