

REGULAR SESSION OF THE VILLAGE BOARD OF TRUSTEES HELD ON  
JANUARY 9, 2007 AT 7:00 P.M. AT THE DEPOSIT THEATER.

PRESENT: President Smith, Trustees O'Connor, Nolan, Axtell-Whiting and Weis, C/T Decker, DCT Leonard, PWA Hubbard, Economic Director Amy Kenyon, Lucy Lantz, Wilber Dennis, Bertha Jenson, Craig Raymond, Tony Smith, Randy Hartz, Debbie Stever, Roger Brainard, Sharon Wright, Dawn Mauro, Fire Chief Mauro, and Joey Valentine and Joey Cammer

President Smith opened the meeting at 7:00 p.m.

PUBLIC HEARING  
SEWER BUDGET for 2007-2008  
7:00 p.m.

President Smith informed the board that the sewer budget had a 7% increase or up \$7.54 from last year due in part to the money borrowed for the WWTP Upgrade. Smith then asked for comments or questions from the public. Debbie Stever asked if the sewer budget would increase each year due to the upgrade. Mayor Smith answered that increases would depend on the amount of dollars received from FEMA/SEMO, and grants, but yes increases could be expected. Smith asked for comments or questions from the board. As there were no more questions or comments from the public or the board, a roll call vote to adopt the 2007-2008 Sewer Budget as submitted was taken as follows:

|                        |     |
|------------------------|-----|
| Trustee Weis           | Aye |
| Trustee O'Connor       | Aye |
| Trustee Nolan          | Aye |
| Trustee Axtell-Whiting | Aye |
| President Smith        | Aye |

The Sewer budget for 2007-2008 was adopted.

President Smith closed the Public Hearing for the Sewer Budget at 7:10 p.m.

PUBLIC HEARING  
WATER BUDGET 2007-2008  
7:10 P.M.

President Smith informed the board that the water budget had a 2% increase, or \$1.00, due to insurance, wage and retirement increases. Smith asked for comments or questions from the public. Sharon Wright asked for clarification on the O&M and DR increases. President Smith explained that the debt reduction portion of the budget decreased by .42 and the operation and maintenance increased by \$1.42, with an overall increase of \$1.00. Smith asked for questions or comments from the board. As there were no more questions or comments from the public or the board, a roll call vote to adopt the 2007-2008 Water Budget as submitted was taken as follows:

|                        |     |
|------------------------|-----|
| Trustee Weis           | Aye |
| Trustee O'Connor       | Aye |
| Trustee Nolan          | Aye |
| Trustee Axtell-Whiting | Aye |
| President Smith        | Aye |

The 2007-2008 Water Budget was adopted.

Smith closed the Public Hearing at 7:25 p.m.

MOTION#577/06-07

A motion was made by Trustee Nolan seconded by Trustee Axtell-Whiting to accept for filing the monthly Treasurers report. The motion carried unanimously.

MOTION#578/06-07

A motion was made by Trustee Nolan seconded by Trustee Weis to waive the reading of the December 12<sup>th</sup> Regular Session minutes. The motion carried unanimously.

#### MOTION#579/06-07

A motion was made by Trustee Nolan seconded by Trustee Axtell-Whiting to accept for filing the December 12<sup>th</sup> Regular Session minutes. The motion carried unanimously.

#### MOTION# 580/06-07

A motion was made by Trustee Axtell-Whiting seconded by Trustee Nolan to accept for filing the monthly EMS and training report. The motion carried unanimously.

#### MOTION#581/06-07

A motion was made by Trustee Axtell-Whiting seconded by Trustee Nolan to accept for filing the monthly Fire Dept. report. The motion carried unanimously.

#### MOTION#582/06-07

A motion was made by Trustee Nolan seconded by Trustee Axtell-Whiting to accept for filing the November and December, 2006 Police Report. The motion carried unanimously.

#### MOTION#583/06-07

A motion was made by Trustee O'Connor seconded by Trustee Nolan to accept for filing the November and December 2006 Code Enforcement Report. The motion carried unanimously.

#### OLD BUSINESS

##### STREETS

PWA Hubbard informed the board that 57 works orders had been completed by the DPW and 29 work orders for the Oquaga Lake WWTP. Hubbard explained that the OLWWTP had undergone an inspection from the DEC and all went smooth with the exception that samples have to take place each and every weekend as opposed to every other weekend. Hubbard informed the board that work had been done underneath the new fire escape, stone had been hauled to the DPW garage, shelving material had been purchased and installed at the DPW garage, filing cabinets and desks had been purchased for the garage office, tables and filing cabinets for the WWTP plant had been purchased, and sewer lines had been unplugged to name a few. He stated that he had received PESH violations including a roll bar required for the 22 HP tractors. He asked and was granted permission to price 20 HP tractors. In the meantime he was instructed to do more research on the PESH violation on the roll bar required.

##### BLDGS

Hubbard informed the board that the Fire Escape was complete and looked great. He also informed the board that at the Fire Station there is a firebox that is showing an error code. He has asked Panko Electric to come and look at it as they installed it.

##### SEWER

Hubbard informed the board that the boring tests of the control bldg at the WWTP had been completed. The report showed that the first ½ inch was pebbles and the next five to six inches was filtered sand. S&W have suggested that new compaction material be used with underpinnings and a new floor be poured. This would be discussed further at the January 12<sup>th</sup> meeting with FEMA.

##### EMS:

Craig Raymond informed the board that a new policy and procedures had been established for the probationary period of crew chief status. President Smith asked for and received a copy.

##### PD:

Trustee Nolan informed the board that Brian Schaffer would be the next village sponsor to the Police Academy in March. He had been approved previously but was unable to attend last March.

FINANCE:

C/T Decker revisited the request for the \$500 donation to the Lumberjack Committee. She stated she had talked to Mr. Moranda concerning the electrical box on the field. He stated that it would be repaired in the spring and the board would be notified. After much discussion, the board request the Lumberjack president come to the next meeting and explain.

NEW BUSINESS:

C/T Decker then read the Village Court request to move the courtroom upstairs in the big boardroom as this would better use the \$4,000 grant money by partitioning off meeting rooms, waiting rooms etc. Trustee Nolan suggested that the Court speak with the Town of Sanford to allow our court to be held in their building, as it would meet all building standards plus the dates and times were the same as our court. He added that the security audit had to be completed of our court first to better understand our deficiencies.

FIRE DEPT:

MOTION#584/06-07

A motion was made by Trustee Nolan seconded by Trustee Axtell-Whiting to certify the Fire Dept. annual election results. The motion carried unanimously.

Fire Chief Mauro explained that the Fire Dept. had also received PESH violations. These violations had mainly to do with paperwork that had been lost in the flood and would be corrected.

EMS:

MOTION#585/06-07

A motion was made by Trustee Axtell Whiting seconded by Trustee Nolan to approve nine EMTS @ \$35.00 each to attend the FASNY seminar. The motion carried unanimously.

President Smith informed the board that our Shared Services for Highway Consolidation Grant in the amount of \$60,000 had been successful.

ECONOMIC DEVELOPMENT

Director Amy Kenyon asked the board to authorize a contract with the Delaware County Planning Board in the amount of \$3,500. She explained this connection would benefit her in writing grants with the broader expertise they offered. She stated having a contract with the County looked good on grant applications. After much discussion it was decided to have Shelly Johnson attend the January 29<sup>th</sup> Downtown Revitalization meeting to see just how much the county planning Dept. could really help the Village as we are in two counties. Trustee O'Connor gave a brief update on the 1950 agreement with the city of NY pertaining to the free water available to the Village and how this should be incorporated into the downtown plan somehow.

TRUSTEES:

Trustee O'Connor stated that he would like to see "No Thru Truck Traffic" signs installed from Second to Dean St. in light of the fire hydrant replacement caused by large delivery truck on residential side streets. PWA Hubbard stated he would research the sign placement.

FINANCE:

MOTION#586/06-07

ELECTION RESOLUTION

2007-2008

WHEREAS, the next Village General Election for the Officers of the Village of Deposit will be held on March 6, 2007 and

WHEREAS, no person shall be entitled to vote at any Village election whose name does not appear on the register of election district in which he/she claims to be entitled to vote, and

WHEREAS, it is the duty of the inspectors of election to prepare such register of qualified voters for the district, which they are appointed,  
NOW THEREFORE BE IT RESOLVED:

1. Registration Day at the village of Deposit has been abolished and any voter who wishes to vote in the next village Election, to be held on March 6, 2007 must register with their County Board of elections, by February 26, 2007
  2. Voting for the forthcoming Village special election shall be conducted at the Sanford Town Hall, 91 Second Street, Deposit, New York. Voting shall take place on March 6, 2007 between the hours of 12:00 noon until 9:00 PM.
  3. This resolution shall take effect immediately.
- 1 Trustee Town of Deposit, for a two year term, currently held by Lisa Weiss  
1 Trustee Town of Sanford, for a two year term, currently held by Stacey-Axtell Whiting

|                       |     |
|-----------------------|-----|
| Stacey Axtell-Whiting | Aye |
| Lisa Weiss            | Aye |
| John O'Connor         | Aye |
| David Nolan           | Aye |
| Willis Smith          | Aye |

#### MOTION#587/06-07

A motion was made by Trustee Nolan seconded by Trustee Axtell-Whiting to authorize the Mayor's signature on the Abstract of Audited Vouchers as follows:

|                    |              |
|--------------------|--------------|
| GENERAL FUND:      | \$ 43,305.67 |
| GENERAL FUND ALSO: | \$ 25,073.63 |
| WATER FUND:        | \$ 36,006.87 |
| WATER FUND ALSO:   | \$ 8,856.01  |
| SEWER FUND:        | \$ 38,719.85 |
| SEWER FUND ALSO:   | \$ 13,646.49 |
| T&A:               | \$ 1,993.17  |

The motion carried unanimously.

#### MOTION#588/06-07

A motion was made by Trustee O'Connor seconded by Trustee Weis to authorize the Mayor's signature on the annual Office for Aging Contract with Broome County in the amount of \$2,400. The motion carried unanimously.

#### MOTION#589/06-07

A motion was made by Trustee Nolan seconded by Trustee Axtell-Whiting is authorize the Mayor's signature on the annual Town of Sanford and Town of Deposit's Fire Contract in the amount of \$ 163,349.00. The motion carried unanimously.

A General Fund Budget meeting was set for January 17<sup>th</sup> at 7:00 p.m.

C/T Decker explained to the board that water/sewer acct. 599 wanted the sewer debt charge reduced from 21 units to one. At the present time there are no trailers in the park because of June's flood. Attorney Westfall informed the board that the code defines units as being capable of use, not as per building or trailer. Attorney Westfall was instructed to send a letter quoting our code.

#### PUBLIC HEARING STORMWATER MANAGEMENT

8:40 p.m.

President Smith read aloud some of the high points of the storm water management law. He stated that the DEC and DRBC strongly recommends we pass such a law. Attorney Westfall explained that a permit would be required to Of one acre or more. She also explained that there are exceptions such as landscaping, agriculture, sub-division already in progress etc. President Smith asked for questions or comments from the public. Debbie Stever asked who would enforce the local law and how is enforcement determined? Westfall stated that the Village would have to appoint an enforcement officer such as PWA Hubbard or our CEO officer. Westfall also explained that the Village needed to

adopt a SEQRA resolution making the Village the lead agency for a Type One action in the environmental assessment review with a waiting period of 30 days. The actual voting of the Local Law could then take place at the February regular session. The public hearing was closed at 8:55 p.m.

### **SEQRA LEAD AGENCY RESOLUTION**

At a regular meeting of the Board of Trustees of the Village of Deposit, located in Broome and Delaware Counties, New York, held at the Deposit Theater, Front Street, Deposit, New York, in said Village, on the 9th day of January 2007, at 7 p.m.

A resolution declaring the adoption of Local Law No. 1 for 2007, being a Local Law to enact an erosion and sediment control law, known as the “Stormwater Management Local Law” as a Type I Action pursuant to SEQRA and declaring the Village Board as lead agency.

BE IT RESOLVED, by the Board of Trustees of the Village of Deposit, located in Broome and Delaware Counties, New York, as follows:

1. The Board of Trustees shall be lead agency for the adoption of the Stormwater Management Local Law and will determine and notify all involved agencies.
2. The adoption of the Stormwater Management Local Law is a Type I Action under SEQRA.
4. The long-form Environmental Assessment Form (EAF) has been prepared and has been thoroughly reviewed by the Village Board of Trustees, and discussion was had thereon.

The question of adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

|                        |            |
|------------------------|------------|
| Trustee Axtell-Whiting | Voting AYE |
| Trustee Nolan          | Voting AYE |
| Trustee O’Connor       | Voting AYE |
| Trustee Weiss          | Voting AYE |
| Mayor Smith            | Voting AYE |

The Resolution was thereupon declared duly adopted.

### **CERTIFICATION OF CLERK/TREASURER**

#### **VILLAGE OF DEPOSIT**

I, Cheryl R. Decker, hereby certify that I am the Clerk/Treasurer of the Village of Deposit and that the attached resolution pursuant to the State Environmental Quality Review Act is a true and exact copy of the Resolution adopted by the Board of Trustees on January 9, 2007.

Date: Deposit, New York  
January 9, 2007

Cheryl R. Decker  
Village Clerk/Treasurer

Next President Smith asked the board for a motion to accept the Stearns & Wheler amendment 3 in the amount of \$252,000 for engineering of the WWTP mitigation plan. The board tabled this amendment until after the January 12<sup>th</sup> meeting with FEMA.

PWA Hubbard then stated that the EMS squad is requesting that the gas cards used at Mirabito Quickway be put in the EMS Squad name rather than Randy Hartz's name – they also were requesting two cards be issued as opposed to the one. No action was taken at this time. Hubbard also informed the board he had received a quote from Frances Smith and Sons Inc. to replace and install the gas and diesel tanks and pumps in the amount of \$ 14,589.00. He had asked for other quotes but they were declined b/c of the restrictions on fuel tanks and inspections required. C/T Decker stated FEMA had agreed to pay for the tanks and pumps with an accepted quote. Trustee Nolan asked that PWA Hubbard talk to FEMA and explain the inspections required, the restrictions involved and the actual cost for installation before the board made a final decision.

#### GUESTS:

Wilber Dennis expressed concern of the run off from Ford Hill. He explained that rainwater etc. runs off Ford Hill directly to his sidewalk. He stated he thought that a study had been done years ago and suggestions for correcting the problem. Bertha Jenson asked why winter parking tickets have not been given. She stated that parking tickets being a village ordinance meant that money would come directly back to the Village coffers. Trustee Axtell stated that she noticed Sat. morning that tickets had been issued. Barbara Lillibridge stated she would like to see the Village adopt the policy of tax exemptions for disabled residents. Attorney Westfall stated she would look into this exemption.

#### MOTION#590/06-07

A motion was made by Trustee Nolan seconded by Trustee Axtell Whiting to enter into and out of Executive Session to discuss personnel. The motion carried unanimously.

The Fire Dept. submitted two applications that were incomplete. They will be returned to the Fire Dept. for action at a later date.

The meeting adjourned at 11:00 p.m.

Respectfully Submitted: