

REGULAR SESSION OF THE VILLAGE BOARD OF TRUSTEES HELD ON
APRIL 11, 2006 AT 7:00P.M. AT MEADOW PARK COMMUNITY CENTER.

PRESENT: President Smith, Trustees Nolan, O'Connor, Weiss, and Axtell-Whiting, C/T Decker, DCT Leonard, PWA Hubbard, Dale VanPelt, Craig Raymond, Debbie Stever, Tony Smith, Wayne Raymond

President Smith opened the meeting at 7:00 p.m. and led the Pledge of Allegiance.

MOTION#375/06-07

A motion was made by Trustee Axtell-Whiting seconded by Trustee O'Connor to accept for filing the monthly Treasurers Report. The motion carried unanimously.

MOTION#376/06-07

A motion was made by Trustee O'Connor seconded by Trustee Weiss to waive the reading of the minutes from the Regular Session on March 14, 2006 and the Organizational meeting of March 14th, 2006 and the Work Session minutes of March 28, 2006. The motion carried unanimously.

MOTION #377/06-07

A motion was made by Trustee Axtell-Whiting seconded by Trustee O'Connor to accept the minutes from the Regular Session on March 14, 2006 and the Organizational meeting of March 14th, 2006 and the Work Session minutes of March 28, 2006. The motion carried unanimously.

MOTION#378/06-07

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

MOTION#379/06-07

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

MOTION#380/06-07

A motion was made by Trustee O'Connor seconded by Trustee Weiss to accept for filing the monthly Police report. The motion carried unanimously.

MOTION#381/06-07

A motion was made by Trustee O'Connor seconded by Trustee Axtell-Whiting to set the Public Hearing for the Local Law of no parking on Front St. by Deposit's Closet for May 9, 2006 at 7:00 p.m. The motion carried unanimously.

OLD BUSINESS

Streets:

Public Works Administrator Hubbard informed the board that the crew had performed 54 work orders for the Village and had performed 24 for OLWWTP. These included chipping brush; clean up around the garage, repairing the street sweeper etc.

Water:

NY Rural Water Association had made a proposal to the Village to do smoke testing. Brad Hubbard informed the board that the Village would need to buy the smoke and they would provide the machine and do the testing. President Smith asked if this was done section by section. He asked Brad to find out what the public notification would be, the cost, and the process of and come back to the board with those answers.

Sewer:

PWA Hubbard informed the board that Green Mountain Piping had repaired four manholes including the big one by the sewer plant, noticing a big difference in

flows. The Village has to put a cone across the tracks behind the Village garage. Luckily the Village has a concrete cone, so that cost of the cone was subtracted from the contract and Green Mountain would be using that to repair across the tracks. He informed the board that they will be here the week of the 17th to slip line Elm St. and to repair the lateral by the police garage. The repair of the pipe by the tracks would be made by "shrink wrapping" at cost of \$1245, which is not in the contract and would have to be taken from fund balance.

Buildings:

MOTION#382/06-07

A motion was made by Trustee O'Connor seconded by Trustee Axtell-Whiting to authorize Custom Fabrications to put the roof over the fire escape at an additional cost of \$3,500 for a total of \$19,610. The motion carried unanimously.

Police Dept.

C/T Decker informed the board that seven bullet proof vest had been purchased for the police Dept. through federal and state money. The Village would pay the voucher and then be reimbursed.

NEW BUSINESS

Streets:

PWA Hubbard informed the board that the assembly hall has been cleaned out and they are waiting for the machine to remove the floor tiles and the air monitoring company is in place and ready to go. K.E.K. called about the siding in order to start that process and discovered that he needs to go through the Rotella Corp. to purchase it. K.E.K. asked for a quote from Rotella. PWA Hubbard asked the board if it would be a problem to use Rotella to obtain the siding. The consensus of the board was to call Joe Bayer at Shumaker Engineering to get his opinion on the siding and get back to the board.

PWA Hubbard stated that Valentine Construction had begun removing the broken concrete blocks around the pool. He stated that the Village had provided four men and the backhoe and the bucket loader. President Smith asked that he keep track of all man-hours and equipment used. He also stated that Valentine had found other blocks that needed repair as well. President Smith stated that the various boards would have to get together to see how to proceed.

Water:

PWA Hubbard stated that well #5 had an error code on the pump. He had Hartz's look at it and it is one of two things 1) a bad pump 2) broken wire in the well. The well is 470 feet deep and Mr. Hubbard wants to get quotes to pull the pump out and evaluate it. He said he would call Lane Christensen, Moody Pump and Seiwart for quotes. John O'Connor asked if any thoughts had ever been given to the use of well #3. PWA Hubbard said a building would be required and no he said no-one has ever discussed using well #3.

PWA Hubbard stated that Wayne Raymond has asked for the use of a few men and possibly to sue the loader to move the bleachers from the school to the little league field. The board said to go ahead and set it up.

PWA Hubbard stated that he and Dale VanPelt were going to attend the Hazard Mitigation class on April 26, 2006 at 2 p.m. in Binghamton. This class is required if the Village to ever receive any SEMO or FEMA funds in the future.

Sewer:

MOTION#383/06-07

President Smith stated that he had payment request #2 from J.R. Wilkins Co. for \$81,225. The engineer had approved payment. Trustee O'Conner made the motion and Trustee Axtell-Whiting seconded to pay J.R. Wilkins payment request #2 in the amount of \$81,225. The motion carried unanimously.

C/T Decker stated that the long term financing was in place for the fire Hall in the amount of \$855,000. President Smith stated to set up an over sight committee meeting to let the two towns know.

MOTION #384/06-07

A motion was made by Trustee O'Connor seconded by Trustee Nolan to accept the WWTP legal fees agreement with Attorney Schaewe in the format accepted by USDA. The motion carried unanimously.

MOTION#385/06-07

A motion was made by Trustee Axtell-Whiting to set the Public Hearing for the Local Law on Graffiti on May 9, 2006 at 7:15 p.m. The motion carried unanimously.

MOTION#386/06-07

A motion was made by Trustee Nolan seconded by Trustee Weiss to accept the FOIL policy from Attorney Schaewe's office as part of the Village's policy. The motion carried unanimously.

RESOLUTION

**RESOLUTION ADOPTING LOCAL LAW NO. __ -2006
IMPOSING A 6 MONTH MORATORIUM ON THE SUBDIVISION OF
ANY PARCEL OF LAND IN THE VILLAGE OF DEPOSIT**

Offered by Trustee Nolan

Seconded by Trustee O'Connor

WHEREAS, a resolution was duly adopted by the Village Board of Trustees of the Village of Deposit for a public hearing to be held by said Board at the Meadow Park Community Center, 85 Fair Street, Deposit, NY, on April 25, 2006 at 7:00 p.m. to hear all interested parties and a proposed Local Law entitled "A Local Law Imposing a 6 Month Moratorium on the Subdivision of Any Parcel of Land in the Village of Deposit", and

WHEREAS, notice of said public hearing was duly advertised in the Deposit Courier, the official newspaper of the Village, on April 11, 2006 and posted on the Village Clerk's Sign Board on April 4 2006, and

WHEREAS, said public hearing was duly held at the Meadowpark Community Center, 85 Fair Street, Deposit, NY at 7:00 p.m. on April 25, 2006 and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, the Village Board of Trustees of the Village of Deposit, after due deliberation, finds it in the best interest of the Village to adopt said Local Law,

NOW, THEREFORE, the Village Board of Trustees of the Village of Deposit hereby adopts said Local Law as Local Law No. 2 of 2006 entitled "A Local Law Imposing a 6 Month Moratorium on the Subdivision of Any Parcel of Land in the Village of Deposit", a copy of which is attached hereto and made a part hereof, and the Village Clerk be and she is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Deposit, and to give due notice of the adoption of said Local Law to the Secretary of State.

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

Ayes: 5 Nays: 0

Trustee David Nolan voting Aye
Trustee Lisa Weiss voting Aye
Trustee John O'Connor voting Aye
Trustee Stacey Axtell-Whiting voting Aye
President Willis Smith voting Aye

MOTION #387/06-07

A motion was made by Trustee Nolan seconded by Trustee Axtell-Whiting to pass the resolution to approve the Stearns & Wheler agreement pertaining to the Waste water Treatment Upgrade in compliance with USDA requirements. The motion carried unanimously.

Dated: April 11, 2006

Village of Deposit, New York
Board of Trustees Resolution #11 of 2006

April 11, 2006

Resolution Authorizing a Revised Engineering Agreement with Stearns and Wheler, LLC for the Wastewater Treatment Plant Upgrade Project to Conform to a Format Required by the USDA

Whereas the United States Department of Agriculture (USDA) has awarded \$500,000 in Rural Development (RD) Program grant funds and \$100,000 in low interest loan financing to the Village of Deposit for its Wastewater Treatment Plant upgrade project; and

Whereas the USDA RD requires all Agreements for Engineering Services to be completed on a "Standard Form of Agreement between Owner and Engineer for Professional Services" per EJCDC (Engineers Joint Contract Documents Committee) form No. E-510; and

Whereas this USDA requirement necessitates a revision to the format of the engineering agreement in place between Stearns and Wheler, LLC and the Village of Deposit; and

Whereas there are no material changes in either scope of work or cost of services to said agreement;

Therefore, the Village of Deposit Board of Trustees authorizes Mayor Willis Smith to sign a revised engineering services agreement for the purpose of satisfying USDA RD requirements.

TRUSTEES:

Trustee O'Connor informed the board that the Fire Dept. was working on training and certifications for truck drivers.

FINANCE:

C/T Decker asked the board if Donna Fricker could attend an Excel Class with Fred Pryor at a cost of \$79.00 for a beginner class. Trustee Axtell stated that we might want to try Cyber City and see what they offered before making a decision.

MOTION#388/06-07

A motion was made by Trustee Axtell-Whiting seconded by Trustee O'Connor to authorize the Mayors signature on the Abstract of Audited Vouchers as follows:

General Fund Also:	\$131,937.77
General Fund:	\$ 20,148.13
Water Fund:	\$ 38,268.33
Water Fund Also:	\$ 21,522.82
Sewer Fund:	\$ 4,441.75
Sewer Fund Also:	\$ 26,660.28

T&A	\$ 2,624.94
Fire Hall Project:	\$ 811.50
Consent Order:	\$ 1,426.61

The motion carried unanimously.

MOTION #389/06-07

A motion was made by Trustee O'Connor seconded by Trustee Nolan to authorize the Mayor's signature on a Unified Court System Grant in the amount of \$8999.00 for court room renovations and equipment including a metal detector. The motion carried unanimously.

C/T Decker than told the board that they had received only one bid on the gas and diesel and that was Mirabito in the amount of gas at \$2.2368 and diesel at \$2.1490. The board requested PWA Hubbard to find out if Mirabito had the state bid and let the board know.

PWA Hubbard informed the board that Contour Construction had given him a quote for \$34,495 to pave Wheeler St. There will be an additional cost of approximately \$2000 for manhole rings.

MOTION#390/06-07

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

MOTION#391/06-07

A motion was made by Trustee O'Connor seconded by Trustee Nolan to sponsor Carl Beers to the Otsego Police Academy at no coast or employment obligation to the Village. The motion carried unanimously.

MOTION#392/06-07

A motion was made by Trustee Weiss seconded by Trustee Nolan to accept the application of Jay Vandermark from a Jr. to a Sr. Fire fighter. The motion carried unanimously.

MOTION#393/06-07

A motion was made by Trustee O'Connor seconded by Trustee Weiss to hire Teddy Boyce as a part time Patrolman in the police Dept. at the hourly rate of \$9.00 effective immediately.

The meeting adjourned at 8:45 p.m.

Respectfully Submitted: