

WORK SESSION OF THE VILLAGE OF DEPOSIT HELD ON MAY 26, 2009 AT THE DEPOSIT THEATER AT 7:00 P.M.

PRESENT: President O'Connor, Trustees Sollecito, Smith and Warner, CT Decker, DCT Budine, CEO Barry Conklin, Chief Cantwell, PWA Hubbard, Debbie Stever, Fire Chief Mauro, Georganna Carson, Sharon Wright and Kermit Mott.

Public Hearing  
Local Law #3

Mayor O'Connor opened the Public Hearing for Local Law #3 at 7:00 PM "No parking at the Country Store, Second Street". The Mayor asked the public for comment. Mr. Mott stated that he felt this was a good idea as it was a very dangerous intersection with vehicles parked and causing limited visibility. There was much discussion about when the Country Store was first proposed and if anyone had looked into the parking issues. Ms. Carson asked if the intent was to prevent accidents. Sharon Wright asked if this law could just be for delivery trucks. Chief Cantwell stated that the law doesn't differentiate between vehicles. CEO Conklin stated that he believed that the Country Store had planned to have deliveries made in the back of the store. After much discussion the public hearing was closed.

**RESOLUTION ADOPTING LOCAL LAW NO. 2 for 2009**

**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 Deposit Theater, Front Street, Deposit, New York at 7 pm on Tuesday, May 26, 2009 to hear all interested parties on a proposed Local Law entitled "A Local Law Amending §125-5 and §125-6 of the Code of the Village of Deposit Prohibiting Parking or Stopping on a Portion of Second Street"; and

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

**WHEREAS**, said public hearing was duly held at the Deposit Theater on May 26, 2009 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. 3 for 2009 and the Village Clerk 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 file said local law with 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 Sollecito	voting aye
Trustee Warner	voting aye
Trustee O'Connell	voting aye
Trustee Smith	voting aye
Mayor O'Connor	voting aye

Dated: May 26, 2009

MOTION#89/08-09

CEO Conklin submitted his report. Mr. Conklin asked the boards' permission to go to the planning board about the dangerous intersection at Sunrise Terrace and Upper Pine Street. The board stated that it would be a good idea to discuss this with the planning board. Motion was made by Trustee Sollecito and seconded by Trustee Warner to accept the CEO's report. Motion passed unanimously.

MOTION#90/08-09

A motion was made by Trustee Sollecito and seconded by Trustee O'Connell to accept the monthly Police Department report. Motion passed unanimously.

MOTION#91/08-09

A motion was made by Trustee O'Connell and seconded by Trustee Warner to accept the Planning Board minutes. The motion carried unanimously.

MOTION#92/08-09

Motion was made by Trustee O'Connell and seconded by Trustee Sollecito to accept the Zoning Board minutes. Motion passed unanimously.

STREETS

PWA Hubbard stated that Vern Meyers from Shumaker was thinking with the money left from the \$25,000 streetscapes grant, that maybe we could pave the 2 municipal parking lots. CEO Conklin stated that the one lot was bought with EDRLF money with the intent of resale to get it back on the tax rolls. Trustee Smith stated that he thought the grant was very specific and that we could not spend on just anything. It was decided that we should consult with Amy before making any decisions.

MOTION#93/09-10

PWA Hubbard presented the board with 3 quotes for tree removal. Mr. Hubbard stated that these quotes were for 7 trees removed, 5 limbed and all stumps removed.

Roots Tree Service	\$12,300.00
Cooks Tree Service	\$8,850.00
Steve Spratley	\$4560.00

Motion was made by Trustee Warner and seconded by Trustee Smith to award the bid to Steve Spratley. Motion passed unanimously.

WATER

SEWER

MOTION#94/09-10

Motion was made by Trustee Smith and seconded by Trustee O'Connell to certify substantial completion and the punch list of C.O. Falter with a date of May 13, 2009. Motion passed unanimously.

BUILDINGS

FIRE DEPARTMENT

PWA Hubbard stated that John Mauro and Trustee Smith look at the bid specs for the fire department roof and were looking into alternate options for fixing the problem.

EMS

POLICE DEPARTMENT

PRESIDENT

TRUSTEES

FINANCE

NEW BUSINESS

STREETS

WATER

MOTION#95/09-10

CT Decker stated that water/sewer customer account #0349, have asked that their late penalty be removed. After much discussion and looking at the payment history, that the

penalty should be removed. Motion was made by Trustee Smith and seconded by Trustee O'Connell to remove the penalty. Motion passed unanimously.

#### SEWER

#### BUILDINGS

#### FIRE DEPARTMENT

Chief Mauro updated the board on the status of turn out gear quotes, equipment bids, fence quotes and utility box quotes.

#### EMS

#### POLICE DEPARTMENT

#### PRESIDENT

Mayor O'Connor thanked all those who attended the Memorial Day parade and also Trustee Smith for his speech.

#### RESOLUTION

At a Work Session meeting of the Village Board of the Village of Deposit duly held at the Deposit Theater in the Village of Deposit on the 26<sup>th</sup> day of May, 2009. Upon the calling of the roll by the Mayor the following members were present:

Present: Mayor John O'Connor, Trustee Dee Sollecito, Harry Warner, Ronald O'Connell and Willis Smith

Absent: none

The following resolution was offered for adoption by Trustee Smith, seconded by Trustee Sollecito:

#### RESOLUTION TO SUPPORT BILL S.4080-A BY SENATOR SCHNEIDERMAN AND A.7504 BY ASSEMBLYMEN WEINSTEIN

WHEREAS, under current state law, public employees hurt on the job are paid twice, both times out of the taxpayers pocket for the same lost future earnings; and

WHEREAS, there is a bill proposed by the NYS Trial Lawyers Association has now been introduced in the Legislature (S.4080-A by Senator Schneiderman/A.7504-A by M. of A. Weinstein) which, in addition to ending the unfair double recoveries against public employers, it removes an impediment to the settlement of tort actions; and

WHEREAS, the bill would protect all parties in the lawsuit (including public employer defendants) who settle the case from then being subjected to a claim by a health benefit provider or other collateral source payer for reimbursement of monies paid to the plaintiff—unless there is a statutory right to such reimbursement, thereby encouraging settlements;

NOW, THEREFORE, BE IT RESOLVED, that the Deposit Village Board supports these bills and urges our lawmakers to vote into law; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Peter J. Kierman, Counsel to the Governor; NYS Senate Majority Leader Malcolm A. Smith; NYS Assembly Speaker Sheldon Silver, Senator Thomas Libous; Assemblywoman Donnas Lupardo; and Barry P. Schwartz Senior Counsel New York City Law Dept.

Mayor O'Connor set June 9<sup>th</sup> as the date to introduce Local Law #4 Visibility at intersections public hearing at 7 PM.

#### TRUSTEES

#### FINANCE

MOTION#96/09-10

Motion was made by Trustee Smith and seconded by Trustee O'Connell to allow the Mayor to sign the contract with Williams Law for the support contract. Motion passed unanimously.

MOTION #97/09-10

Motion was made by Trustee Smith and seconded by Trustee Sollecito to adjourn at 8:20 PM. Motion passed unanimously.

Respectfully submitted,