

REGULAR SESSION OF THE VILLAGE BOARD OF TRUSTEES HELD ON JUNE 8, 2010 AT THE DEPOSIT THEATRE at 7:00 p.m.

PRESENT: President O'Connor, Trustees Warner, Sollecito, McKee and O'Connell, C/T Decker, DCT Budine, Chief Cantwell, 2<sup>nd</sup> Assistant Fire Chief Zacarias, Debbie Stever, Kermit Mott, Joan Pike, Mellissa Bishop, Ray Seyforth, Joann Raymond, Gail and Mike Musante, Dean Price, Ann Schambach, Mary O'Connell, Lucy and Paul Lantz, Lynn O'Connor, Georgiana Carson, Sharon Wright, Sarah Evans and Dick Diorazio and wife Pat.

ABSENT: PWA Hubbard

President O'Connor opened the meeting with the Pledge of Allegiance.

Ray Seyforth was present to talk about the annual Ice Cream Run on July 31, 2010 from 3:00 p.m. until 7:00 p.m. O'Connor talked about porta johns, barricades, and garbage cans and garbage pickup. Dean Price and Ray Seyforth assured the board that all the stipulations that were in place from last year would remain in place this year. The Ice Cream Run would sign a Hold Harmless agreement and provide proof of insurance as well. Chief Cantwell stated that DCT Budine was having an Emergency Response Meeting on Thursday June 10<sup>th</sup> at 4:30 with the Fire Chief and DPW to coordinate response for that day.

MOTION#84/10-11

A motion was made by Trustee Warner seconded by Trustee McKee to close Front St. from 3:00 p.m. to 7:00 p.m. on July 31, 2010 for the annual Ice Cream Run. The motion carried unanimously.

MOTION#85/10-11

A motion was made by Trustee Sollecito seconded by Trustee O'Connell to waive the reading of the May 11 Regular, May 18 Special and May 25 Work Session minutes. The motion carried unanimously.

MOTION#86/10-11

A motion was made by Trustee Sollecito seconded by Trustee O'Connell to accept the May 11 Regular, May 18 Special and May 25 Work Session minutes. The motion carried unanimously.

MOTION#87/10-11

A motion was made by Trustee O'Connell seconded by Trustee Sollecito to accept the monthly PD report as submitted. The motion carried unanimously.

MOTION#88/10-11

A motion was made by Trustee McKee seconded by Trustee Warner to accept the monthly EMS report as submitted. The motion carried unanimously.

MOTION#89/10-11

A motion was made by Trustee Warner seconded by Trustee O'Connell to accept the monthly Fire Dept. report as submitted. The motion carried unanimously.

MOTION#90/10-11

A motion was made by Trustee Warner seconded by Trustee O'Connell to accept the monthly Treasurer's Report as submitted. The motion carried unanimously.

OLD BUSINESS

STREETS

President O'Connor stated that he had heard from PWA Hubbard who is away at a Highway Seminar that the CHIPS money had gone thru the NYS Budget and would be disbursed this year. CHIPS money is what the Village uses to pave streets each year.

WATER

None

SEWER

None

BUILDINGS

None

FIRE DEPARTMENT

**RESOLUTION ACCEPTING  
FIREMEN'S PARK STREET  
FOR DEDICATION**

**WHEREAS**, a certain parcel of land has been offered for dedication to the Village of Deposit (the "Village") for street purposes by The Deposit Fire Dept., Inc., the owner of said land, as duly authorized by the Fire Department on June 8, 2010; and

**WHEREAS**, the parcel has been surveyed and is shown on a survey map prepared by Paul B. Koerts, PLS, dated April 8, 2010, a copy of which is attached hereto as Exhibit A; and

**WHEREAS**, the Administrator of Public Services of the Village has recommended acceptance of said parcel for dedication for street purposes; and

**WHEREAS**, the Board of Trustees of the Village of Deposit has determined that it is in the public interest to accept the dedication of said parcel as a Village street, to be known as "Firemen's Park Street",

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Deposit in regular session duly convened, as follows:

1. The Board of Trustees agrees to accept the dedication of the said street, to be known as Firemen's Park Street; and
2. The Board of Trustees directs the Village Attorney to obtain a title search, the cost of which shall be shared equally between the Fire Department and the Village, and further directs the Village Attorney to provide a certificate of title based upon said title search; and
3. Upon the issuance of a certificate of good title, the Board of Trustees authorizes the Village Attorney to prepare a street deed, to be executed by the appropriate officer of the Fire Department; and
4. The Board of Trustees authorizes the Mayor to execute any documents necessary to record said deed; and
5. The Board of Trustees directs the Village Clerk to record the deed in the Broome County Clerk's Office.

Motion made by Trustee Sollecito and seconded by Trustee O'Connell

Trustees voted as follows:

Trustee Sollecito:	Aye
Trustee Warner:	Aye
Trustee McKee:	Aye
Trustee O'Connell:	Aye
Mayor O'Connor:	Aye

EMS

None

POLICE DEPARTMENT

Chief Cantwell wanted to thank the Mayor for attending the Buckle Up Kick Meeting with him and the Village PD had a very successful Buckle Up Campaign.

PRESIDENT

President O'Connor introduced Shelly Johnson with the Delaware County Planning Dept to discuss the River St. Park resolution. Ms. Johnson stated that the resolution would simply officially let the Delaware County know that the Village is willing to accept title of the property known as 349.17-7-23 from the County. The County will now move forward with a closing in about two/three months. Ms. Johnson continued to explain that there are restrictions by FEMA as to what the Village can do with the park and that the county will still have to inspect and make sure FEMA guidelines are met. Johnson further stated that the county has limited liability insurance on the property now and that the Village will need to buy insurance in the future.

MOTION#91/10-11

A motion was made by Trustee Sollecito and seconded by Trustee Warner to accept title of River St. Park, 349.17-7-23, from Delaware County with the following resolution:

**RESOLUTION NO:**

**TITLE: ACCEPTANCE OF TRANSFER OF OWNERSHIP OF PARCEL ID # 349.17-7-23 FROM DELAWARE COUNTY TO THE VILLAGE OF DEPOSIT**

**WHEREAS**, from June 26-28, 2006, Delaware County experienced widespread catastrophic flooding, adversely affecting many of its towns and villages, warranting a federal disaster declaration; and

**WHEREAS**, FEMA announced funds were being made available for a voluntary flood buyout under the Hazard Mitigation Grant Program (HMGP); and

**WHEREAS**, New York State made funds available to provide the required 25% match for the federal HMGP moneys; and

**WHEREAS**, Delaware County was approached by the municipalities most affected by the flooding to participate in this program; and

**WHEREAS**, the program rules were established to ensure all eligible homes had to be located in the 100-year flood hazard area and were declared "substantially damaged" by the local Code Enforcement Officers; and

**WHEREAS**, Delaware County held four public informational sessions in September of 2006 in Hancock, Middletown, Walton and Sidney; and

**WHEREAS**, Delaware County ultimately applied for and was awarded \$3,470,268.00 from FEMA and SEMO to complete the voluntary flood buyout project as proposed; and

**WHEREAS**, one (1) of the flood buyout parcels purchased by Delaware County is located within the Village of Deposit; and

**WHEREAS**, it is Delaware County's stated intent, as per the original grant application, to transfer ownership of the above-indicated parcel to the Village of Deposit; and

**WHEREAS**, the Village fully understands and intends to abide by the terms of the original grant conveyance and Deed Restrictions (attached); and

**WHEREAS**, the Village acknowledges that the property interest will revert to Delaware County or New York State in the event the Village ceases to exist or loses its eligible status as defined under 44 CFR Part 80.19

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Deposit accepts the transfer of ownership of parcel ID # 349.17-7-23 at 2 River Street from Delaware County; and

**BE IT FURTHER RESOLVED**, that the Village of Deposit intends to abide by the deed restrictions and FEMA program requirements and will keep the parcel maintained as open space for appreciation by residents of the Village; and

**BE IT FURTHER RESOLVED**, that any additional future plans for the parcel will be developed with the Delaware County Planning Department, subject to approval by the Delaware County Board of Supervisors, and subject to review and approval by FEMA.

The resolution was thereupon adopted.

TRUSTEES

None

FINANCE

None

NEW BUSINESS

STREETS

None

WATER

None

SEWER

None

BUILDINGS

None

FIRE DEPARTMENT

MOTION#92/10-11

A motion was made by Trustee McKee seconded by Trustee Sollecito to authorize the purchase of seventeen (17) new SCBA air packs from MES at \$5,250 each for a total of \$89,415.00 in accordance with the FEMA of \$89,000.00. There is a 5% match the FEMA grant requires that the Fire Dept will pay. The other quote obtained was from Tyler for \$91,090.86. The motion carried unanimously.

MOTION#93/10-11

A motion was made by Trustee Sollecito seconded by Trustee O'Connell to authorize the purchase of warning lights for the Fire Dept command vehicle from Galls Inc. as follows:

Light Bar for \$1,499

Surface Mount LED lights for \$39.99 X2 totaling \$79.98

Total expenditure of \$1,579.97

Other quotes obtained were from Warnock totaling \$1886.64 and Siren and Emergency Beacons totaling \$1850.00. These items are to be paid from A3410.2. The motion carried unanimously.

### EMS

The Board was notified that EMS Captain Couse will sign up five people from the squad to attend the Concepts in Trauma Conference in Owego on September 11, 2010 at a cost of \$60 per member totaling \$300.00. The Board thanked Captain Couse for the info.

### POLICE DEPARTMENT

#### MOTION#94/10-11

A motion was made by Trustee Sollecito seconded by Trustee O'Connell for Chief Cantwell to attend the NYS Association of Chiefs Seminar July 18 -21 in Fairport NY at a cost totaling \$590.00 for the seminar and lodging. The money would come from A 3120.19 in the budget. The motion carried unanimously.

The Chief stated that the Durango had been taken to a Dodge dealer and spark plugs had been changed as the only problem to the vehicle. Cantwell stated his patrolman have told him the problem has not been solved; seems to be more than sparkplugs. Cantwell was directed to keep in contact with Trustee Warner on performance of the vehicle.

### PRESIDENT

President O'Connor then informed the board that he had received a letter from Barbara Spillane on Pine St. in regards to the showing of the movie Gas Odyssey after alleged promotion by Trustee Sollecito. O'Connor stated he wasn't reading the letter in its entirety as it had appeared in the Deposit Courier today. O'Connor further stated that his concern was the Village's infrastructure, water and sewer, and our streets and roads. He continued that the State of NY will tell the Village when and where drilling would take place – the municipalities have no say. It's entirely up to the DEC, not the Village. O'Connor felt that he didn't know enough to have an opinion pro or con concerning drilling; he stated we learn new things every day. Trustee Sollecito stated that she had learned of the film at a Broome County Gas Drilling Seminar that Barbara Fiala promoted and was approached at a later date about mentioning the movie was going to show in Deposit. She stated she was willing to mention the showing of the movie and would do the same for the movie GasLand to be helpful in getting information to the public. Sollecito mentioned at no time did she arrange or help arrange for the movie to come to the Deposit Theatre. She then told the board that the movie GasLand would be shown in Walton on June 7 and West Middle School in Binghamton on June 15 and would also be on HBO June 21, 2010.

President O'Connor then introduced Local Law #4 of 2010 – a Local Law Amending Chapter 140 of the Code of the Village of Deposit, Zoning, Appendix I, Table of General Use, Bulk and Off-Street Parking and Stacking Space Requirements. This Local Law requires any new construction or change of units to allow two off street parking spaces per unit. The Public Hearing for this Local Law will be July 13<sup>th</sup> Regular Session at 7:00 p.m.

### TRUSTEES

Trustee Warner wanted to thank the DPW for a job well done on the placement of several water shut off valves pertaining to the Second St. Drain project. O'Connor stated that the DPW had saved the Village thousands of dollars in doing this work themselves rather than Procon, the Second St. Drain contractor.

Trustee McKee urged the residents to be patient with the streets in rough shape – shortly the project will be done and well worth the disruption.

## FINANCE

### MOTION#95/10-11

A motion was made by Trustee O'Connell seconded by Trustee Sollecito to authorize the Mayor's signature on the monthly Abstract of Audited Vouchers as follows:

General Fund:	\$36,838.74
Water Fund:	\$ 7,323.65
Sewer Fund:	\$16,123.91
T&A Fund:	\$ 1,594.97

The motion carried unanimously.

## GUESTS

Kemit Mott wanted to thank Karen Budine for taking the time to run for school board – it's always commendable when taxpayers take an interest. Mott also apologized to Trustee Sollecito and her husband for not being able to vote at the school elections. Mott asked if the Village depends on NYS for money to run our Village – O'Connor stated that the Village depends on the CHIPS money from the state for paving. CT Decker explained that the Village receives AIM money too which never seemed to be in jeopardy. O'Connor elaborated on the county sales tax as an upcoming issue – possibly for next year's budget but that isn't a state issue. Mott asked if we were in contact with our legislature representative and O'Connor replied that yes we are in continuous contact with Steve Herz.

Mellissa Bishop then thanked Dee Sollecito for stopping by her house and clearing up the misunderstanding about the movie Gas Odyssey. She realized now that the Village was not promoting the movie simply informing the public that it was showing. She also stated that she had some information for the board concerning certain banks that would not extend loans to those who have gas leases and those that live next to people owning gas leases.

Joan Pike then asked the Mayor if the Village was going to sell water from our wells. O'Connor stated that yes we were going to if we could. He further stated that DRBC and the DEC will regulate all of that - the Village will have no say. We are in the process of renewing our ten year DRBC permit to sell water to Village residents and in the permit we will request to sell excess water to the drillers when the time comes.

### MOTION#96/10-11

A motion was made by Trustee Warner seconded by Trustee Sollecito to enter into and out of executive session to discuss property transfers and specific personnel. The motion carried unanimously.

### MOTION#97/10-11

A motion was made by Trustee O'Connell seconded by Trustee McKee to approve the EMS application of Charlie Ritt to the squad. The motion carried unanimously.

### MOTION#98/10-11

A motion was made by Trustee Sollecito seconded by Trustee McKee to adjourn the meeting at 8:30 p.m.

Respectfully Submitted:  
Cheryl R. Decker  
Clerk Treasurer

