

REGULAR SESSION OF THE VILLAGE BOARD OF TRUSTEES ON OCTOBER 13,
2020 AT VILLAGE HALL 61 FRONT STREET, DEPOSIT NY AT 7:00 P.M.

PRESENT: Mayor Moore, Trustees Durning, Smith and Warner, C/T Budine, DC/T Shirkey, DPW Supervisor Steve Evans, Fire Chief Shaun Rynearson, Chris Zacharias and John O'Connor.

ABSENT: Trustee Brown

MOTION#149/20-21

A motion was made by Trustee Warner and seconded by Trustee Smith to waive the reading of the of the September 8, 2020 Regular Session, and the September 22, 2020 Budget and Work Session minutes and the September 28, 2020 Over site committee meeting minutes. Motion passed unanimously.

MOTION#150 /20-21

A motion was made by Trustee Smith and seconded by Trustee Durning to accept for filing of the September 8, 2020 Regular Session and the September 22, 2020 Budget and Work Session minutes and the September 28, 2020 Over site committee meeting minutes. Motion passed unanimously.

MOTION#151/20-21

A motion was made by Trustee Warner and seconded by Trustee Smith to accept for filing the monthly Treasurer's Report. Motion passed unanimously.

STREETS

DPW Supervisor Evans reported that the 2 water mains had been repaired in Oquaga Creek. He also reported that NYRW have found a few water leaks. The one on Fourth Street will be fixed tomorrow. There are two more, one on Allen and another possibly on Third Street.

The crew has been busy flushing hydrants and picking up leaves.

The Town of Deposit helped us out with a brake repair job.

Mr. Evans said that the paving has begun, and there seemed to be a lot more traffic than normal today.

Mr. Evans stated that we have received bids on 9 items, listed on Auctions International. Mayor Moore suggested that we counter offer on the 1995 International \$3,500, on the on the 2005 Impala \$1800 and on the emergency lights counter offer \$500. He also stated that the Village Police car was being bought locally and would be restored to be used to lead parades.

MOTION#152/20-21

A motion was made by Trustee Warner and seconded by Trustee Durning to accept all bids except for the 3 counter offers. . Motion passed unanimously.

Mayor Moore asked if we have received the Pine and Second Street lights. Supervisor Evans stated that yes we have.

DPW Supervisor Evans also stated that the bill for the picnic tables and grills exceeded the grant that the Chamber received by \$104. Mr. Evans stated that the Chamber will cover the overage.

FIRE DEPARTMENT

Mayor Moore asked for a moment in Executive Session for specific personnel.

PRESIDENT

Mayor Moore stated the Melissa Bishop wanted to thank everyone involved in getting the no trespassing signs for the Broome County Flood Control levy on Elm Street.

TRUSTEES

Trustee Warner said that he was glad the stop signs for the Pine & Second Street intersection were in.

Trustee Durning asked about the access to the Willis Smith Memorial Park. Supervisor Evans stated that the original access road was for emergency vehicles. Trustee Durning stated that it would be hard for them to access with a log across the road.

Trustee Durning then stated that he was working on a name for the other park. Mayor Moore said that we need to have a meeting to discuss the park.

FINANCE

MOTION#153/20-21

A motion was made by Trustee Durning and seconded by Trustee Warner to approve for payment the Abstract of Audited #8 vouchers as listed:

General Fund	\$ 43,847.23
Water Fund	\$ 5,386.46
Sewer Fund	<u>\$ 31,487.02</u>
	\$80,720.71

And voucher 59 for \$231, voucher 60 for \$21,175.21 from Abstract 7.

Motion passed unanimously.

RESOLUTION

STATE OF NEW YORK

Village of Deposit

Counties of Broome and Delaware

In the Matter of the Cable Television Franchise Held by **ADAMS CATV, INC.**, in the Village of Deposit, Broome and Delaware Counties, New York

RESOLUTION

An application has been made to the Board of Trustees of the Village of Deposit, located in the Counties of Broome and Delaware, New York, by **ADAMS CATV, INC. ("Adams")**, a Pennsylvania business corporation having its principal place of business at 19 North Main Street, Carbondale, Pennsylvania 18407, for the approval of a franchise agreement for Adams' cable television franchise for seven (7) years, commencing on October 1, 2020, or upon the issuance by the New York State Public Service Commission of a certificate of confirmation of the franchise agreement, whichever is later (the "Franchise Agreement"). The Franchise Agreement will bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended and certain court rulings.

A public hearing was held at the Village of Deposit, New York on Tuesday, August 25, 2020 at 7 pm and notice of the hearing was published in the Deposit Courier on August 12, 2020.

NOW, THEREFORE, the Board of Trustees of the Village of Deposit finds as follows:

1. Adams has substantially complied with the applicable laws; and
2. The quality of the Adams' service, including signal quality, response to customer complaints and billing practices, as required by the Franchise Agreement, will be responsive to community needs; and
3. Adams has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in the Franchise Agreement; and

4. Adams can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Deposit hereby approves the cable television franchise of Adams in the Village of Deposit for seven (7) years, commencing on October 1, 2020, or upon the issuance by the New York State Public Service Commission of a certificate of confirmation of the Franchise Agreement, whichever is later, and expiring seven (7) years thereafter.

BE IT FURTHER RESOLVED, that the Board of Trustees has determined that the authorization of the Franchise Agreement does not constitute an "action" as defined in the New York State Environmental Quality Review Act ("SEQRA") regulations at 6 NYCRR §617.2(b) and therefore no further environmental review is necessary.

BE IT FURTHER RESOLVED, that the Mayor of the Village of Deposit is hereby authorized to execute the Franchise Agreement on behalf of the Village, together with any other documents necessary to effectuate the Franchise Agreement.

Motion made by Trustee O'Connell and seconded by Trustee Hathaway.

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

Trustee Brown voted	Absent
Trustee Durning voted	Aye
Trustee Smith voted	Aye
Trustee Warner voted	Absent
Mayor Moore voted	Aye

The foregoing motion was approved by a vote of 4 to 1 and was thereby declared adopted.

Dated: October 13, 2020.

MOTION#154/20-21

A motion was made by Trustee Warner and seconded by Trustee Smith to remove and make exempt in the tax program, 9 River Road which was purchased by the Village. Motion passed unanimously.

MOTION#155/20-21

A motion was made by Trustee Durning and seconded by Trustee Warner to commit to pay back the EDRLF Committee the loan of \$334,488.97 for the balance of the Streetscapes bond, in annual installments of \$10,000. Should any funds come in from DOT or possible legal actions, they will be applied to any outstanding balance. Motion passed unanimously.

MOTION#156/20-21

A motion was made by Trustee Durning and seconded by Trustee Warner to approve the application of the Events Committee, Christmas Parade, providing all recommended Covid 19 precautions are taken. Motion passed unanimously.

MOTION#157/20-21

A motion was made by Trustee Durning and seconded by Trustee Warner to allow \$175.00 to be taken from General Fund, fund balance to pay the Court Clerk's wages. Motion passed unanimously.

MOTION#158/20-21

A motion was made by Trustee Durning and seconded by Trustee Warner to allow the Mayor to sign the Feasibility of Code Enforcement Consolidation Study, pending successful receipt of matching funds grant. Motion passed unanimously.

MOTION#159/20-21

A motion was made by Trustee Warner and seconded by Trustee Smith to set a Public Hearing for LL#4 of 2020 tax cap override for November 10, 2020 at 7PM. Motion passed unanimously.

CT Budine also stated she would like to schedule a budget meeting for October 27 at 6:30PM.

GUESTS

John O'Connor reported that he spoke with Jason Garner and he asked if the 20% cut to funding, would affect aid to illegal immigrants. He said that Mr. Garner stated it would not. Mr. O'Connor also stated that the lights outside of new Village Hall were an improvement from the last meeting he had attended. Then Mr. O'Connor asked about the need for the change in the name of the Fire Department. Mayor Moore explained that it was just for budget purposes, since we had combined the Fire and EMS budgets.

MOTION#160/20-21

A motion was made by Trustee Warner and seconded by Trustee Smith to go into Executive Session. Motion passed unanimously.

MOTION#161/20-21

A motion was made by Trustee Durning and seconded by Trustee Warner to come out of Executive Session. Motion passed unanimously.

MOTION#162/20-21

A motion was made by Trustee Durning and seconded by Trustee Warner to adjourn at 7:38 PM. Motion passed unanimously.

Respectfully Submitted:

Karen L. Budine
Clerk Treasurer