

AMENDED MINUTES OF OCTOBER 26, 2004 OF THE VILLAGE BOARD OF TRUSTEES

WORK SESSION OF THE VILLAGE OF DEPOSIT BOARD OF TRUSTEES HELD ON OCTOBER 26, 2004 AT 7:00 P.M. AT THE VILLAGE HALL

Present: Acting-President smith, Trustees Nolan, Edwards and O'Connor, Acting-Clerk Treasurer Decker, Karen Leonard, Codes Officer Conklin, PWA Hubbard, Chief Roberts, Deb Stever, Sharon Wright, Mike D'Agati, Tony Smith, Edwin Pavlov, Jim Conklin and Stacey Axtell.

Acting-President Smith called the meeting to order at 7:17 p.m.

Mr. Hubbard brought everyone up-to-date on the Elm Street project. DeVincentis has been working on the manholes, sidewalks and curbs. Mr. Hubbard is looking to have the street ground up next week.

Mr. Hubbard told the board where we stand with well house four. First we have to have the acid cleaning done at \$15,000 and then another \$1,200 to have the pump tested.

**MOTION#264-04/05**

Motion made by Trustee O'Connor to spend \$1,200 to have the pump tested and Trustee Nolan seconded to see if 200 gallons per minute is sufficient. Motion passed unanimously.

**MOTION#265-04/05**

Mr. Hubbard presented the board with estimates to insulate the Police garage with foil insulation and corrugated metal. Motion made by Trustee Nolan and seconded by Trustee Edwards to hire TJC Contracting, for labor only at \$2,200, to insulate the garage. The Village will purchase the materials from Wist Lumber, for \$2068. Trustee Nolan made a motion to hire TJC Contracting, Trustee Edwards seconded, motion passed unanimously. This will be billed to the Police budget.

Mr. Hubbard told the board about the troubles we have had with the retaining wall at 48 Front Street. Mr. Hubbard said there is danger of the wall falling over. Vern Meyers at Schumaker has looked at the wall is 50 ½ foot long and 3 foot high. Mr. Meyers gave Brad a list of decorative wall installers. Mr. Hubbard will obtain prices for the next board meeting.

**MOTION#266/04-05**

CEO Conklin gave his monthly code report to the board. Trustee O'Connor made a motion to accept the report. Trustee Nolan seconded, motion passed unanimously.

**MOTION#267/04-05**

Acting-Clerk Treasurer Decker explained to the board that the PD grants are being reviewed. Sean Course is working with Chief Roberts to clean this up. The grants have problems with specific line items that weren't followed, to fix this Deputy Mayor Smith stated that we could put the monies into interest bearing accounts, and then the monies would be line item specific. Acting Clerk Treasurer Decker was adamant that we are not sure if proper procedure was followed, and that the monies had to be paid back the general fund. She stated that the Clerk's office asked for paperwork and never received it. Motion made by Trustee Nolan and seconded by Trustee Edwards to authorize Deputy Mayor Smith to sign and submit the State Aide voucher for the \$25,000 grant for reimbursement, recognizing that this was done retroactively. Motion passed unanimously.

**MOTION#268/04-05**

Trustee Nolan made a motion to authorize Deputy Mayor to sign and submit the State Aide voucher for the \$10,000 grant. Trustee Edwards seconded, also recognizing that it was retroactive. Motion passed unanimously. Trustee O'Connor asked if this would clean things up for the new Chief, Deputy Mayor Smith said that it would

**MOTION#269/04-05**

Trustee Nolan made a motion to thank the Clerk Treasurer's office for their support, and continued support, Trustee O'Connor seconded. Motion passed unanimously.

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**MOTION#270/04-05**

Motion made by Trustee O'Connor and seconded by Trustee Nolan to thank various law enforcement departments for their support and continued support, during the suspension of activities in the police department and for future. Motion passed. Trustee Nolan stated that he would take care of this.

New Business

PWA Hubbard informed the board that Nextel had called and are planning to get started with the tower in January.

On a motion made by Trustee Nolan and a second from Trustee Edwards to accept the resolution for a type II SEQRA. Motion passed unanimously.

RESOLUTION BY  
THE VILLAGE OF DEPOSIT BOARD OF TRUSTEES

SEQR TYPE II ACTION  
Wastewater Treatment Plant Upgrade Project

Whereas the proposed Wastewater Treatment Plant Upgrade Project is subject to the terms of the State Environmental Quality Review Act (Article 8 of the New York State Environmental Conservation Law); and,

Whereas, the Village of Deposit has previously announced its intent to comply with requirements to conduct assessments to determine the degree to which the State Environmental Quality Review Act (SEQRA) requirements impact the proposed Wastewater Treatment Plant Upgrade Project; and,

Whereas the Village of Deposit has considered activities to be undertaken with the proposed Wastewater Treatment Plant Upgrade project to include:

- Pump Station 1: Replace PVC piping and valves with flanged ductile iron pipe; provide a new bypass hydrant for emergency pumping,
- Dosing Pumps: Replace the "summer" pumps and controls with a new centrifugal pump system to provide automatic dosing cycles, and other equipment to facilitate automatic bed alternation,
- Sand Filters: Remove and replace the filter media, and flush/repair/replace existing piping,
- Effluent Disinfection: Retrofit the chlorine contact tank with an open channel UV disinfection system,
- Control Building Addition: Construct a 22'x36' building addition for emergency generator, equipment and vehicles,
- Flow Meter: to be re-calibrated or replaced if necessary,
- Post-Aeration System: Install new fine-bubble diffusers in the out fall chamber and an aeration blower in the Control Building for post-aeration; and

Whereas, it has been determined that the proposed project meets the Type II SEQRA action criteria as defined in:

- 6NYCRR Part 617.5.c.2: "replacement, rehabilitation or reconstruction of s structure or facility in kind on the same site, including upgrading buildings to meet building or fire codes..."
- 617.5.c.29: "civil or criminal enforcement proceedings, whether administrative or judicial, including a particular course of action specifically required to be undertaken pursuant to a judgment or order or the exercise of prosecutorial discretion"; and

Whereas, the engineering firm of Stearns & Wheeler has recommended that the proposed project be classified as a Type II SEQRA action according to a letter to the Village dated September 16, 2004 stating that "we believe that the project may be classified as a Type II SEQRA action... and this project meet the Type II action criteria; and,

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Whereas, the recommendation of a Type II SEQRA action has been reviewed with the New York State Department of Environmental Conservation and the New York State Environmental Facilities Corporation and both agencies concur with the recommendation to classify the proposed project as a Type II SEQRA action.

Therefore, as the sole Lead Agency the Village Board takes official action to declare the proposed project a Type II SEQRA action.

**MOTION#272/04-05**

Mr. Hubbard discussed with the board the manhole cover on Monument and Elm Streets. The one has been put in on Elm Street and the one by DCSI is on order. Motion to order and install the manhole by DCSI was made by Trustee O'Connor and seconded by Trustee Nolan. Motion passed unanimously. Acting Mayor Smith noted that this also took care of the infiltration problem. It is estimated at 150,000 a day, over and above the previous recordings by video camera.

PD

**MOTION#273/04-05**

Acting Mayor Smith explained to the board that Chief Roberts felt it would be impossible to use all the DWI money this year, due to staffing problems. It was felt that to keep us out of jeopardy, and make it possible for us to receive a grant next year, we should relinquish \$750 of the \$2,000, as an act of good will towards another agency who could use the money now. Trustee O'Connor made a motion to allow Chief Roberts to do this, Trustee Edwards seconded, motion passed unanimously.

**MOTION#274/04-05**

Acting Mayor Smith told the board that Sean Crouse continued to help clean up some of the grant problems in the PD. Acting Mayor Smith asked for a motion to continue with Sean Crouse at 3 eight-hour days not to exceed 25 hours. Trustee Nolan made the motion, Trustee Edwards seconded, motion passed unanimously.

**MOTION#275/04-05**

Acting Mayor Smith asked for board approval to sign the Assurance Agreement & Equal Opportunity Agreement for the USDA Rural Community Development Initiative for the Catskill Center. Motion made by Trustee Nolan and seconded by Trustee O'Connor, motion passed unanimously.

NEW BUSINESS

Trustee O'Connor talked about the closing of Front Street for the Christmas parade. Mr. Hubbard was asked if the set-up for the parade could be done during business hours, instead of on over time. Much discussion ensued. Trustee O'Connor suggested that maybe we could share responsibility for all the local events, as far as set up etc., with the Town of Deposit and the Town of Sanford.

**MOTION#276/04-05**

Acting Clerk Treasurer stated that she had given everyone a memo on record retention and asked for approval to shred some old documents. Trustee Nolan made a motion, Trustee Edwards seconded, motion passed.

**MOTION#277/04-05**

Acting Mayor Smith asked for approval to sign payment request for \$112, 328 from DeVincentes, which was approved by Shumaker Engineering, Trustee Nolan made the motion, Trustee Edwards seconded, motion passed unanimously.

**MOTION#278/04-05**

Acting Mayor Smith asked for approval to sign payment request form United Plumbing for \$3,473 as part of the fire hall project, approved by Shumaker Engineering. Trustee Nolan made the motion, Trustee O'Connor seconded, passed unanimously.

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**MOTION#279/04-05**

Acting Clerk treasurer asked for permission to set up a public hearing on December 8<sup>th</sup> and February 2<sup>nd</sup> for the 2005 CDBG Wastewater Treatment Plant. Trustee Nolan made the motion, Trustee Edwards seconded, motion passed unanimously.

**MOTION#280/04-05**

Acting Clerk Treasurer reminded the board that sometime ago, Trustee Edwards had asked if Charter could be changed so that the board could have managing power over the police department instead of the mayor. We now know that we have to have public hearings on this matter. Trustee Edwards made the motion to forward the information to Cathy Schaewe, so we could go forward with public hearings, Trustee O'Connor seconded. Motion passed unanimously.

**MOTION#281/04-05**

Trustee Nolan made a motion to appoint Willis Smith as Mayor, to fill our Mr. Hayes' tenure until March 2005. Trustee Edwards seconded, motion passed unanimously.

**MOTION#282/04-05**

Trustee Nolan made a motion to go into and out of executive session, Trustee Edwards seconded. Motion passed unanimously.

**MOTION #282-a/04-05**

A motion was made by Trustee Nolan seconded by Trustee O'Connor to terminate the alleged agreement with Center of Deposit, Inc. The motion carried unanimously.

Roll Call vote:

Trustee Nolan	Aye	
Trustee O'Connor	Aye	
Trustee Edwards	Aye	
Acting President Willis Smith		Aye

Respectfully Submitted,

Cheryl Decker  
Acting Clerk Treasurer