

REGULAR SESSION OF THE VILLAGE BOARD OF TRUSTEES HELD ON  
OCTOBER 12, 2010 AT THE DEPOSIT THEATRE AT 7:00 P.M.

Present: President O'Connor, Trustees McKee, O'Connell, and Warner, PWA Hubbard, DCT Budine, CT Decker, Debbie Stever, EMS Captain Couse, Howie Couse, Chief Cantwell, Ann Schambach, Mary O'Connell, Mr. Musante, Eddie Joe Pavlov, Jim Conklin, Georganna Carson, Sharon Wright

Absent: Trustee Sollecito

President O'Connor opened the meeting with the pledge of allegiance at 7:00 p.m.

PUBLIC HEARING  
LOCAL LAW #5  
PUBLIC WORKS ADMINISTRATION FEE  
7:00 P.M.

President O'Connor opened the public hearing at 7:00 p.m. O'Connor explained this local law would add a \$50 admin fee whenever the public works department has to perform a service that protects the health and welfare to enforce a local law – such as grass cutting, snow removal and refuse removal which is charged to the property owner and relieved if they don't pay in 30 days.

O'Connor opened the public hearing to the public:

Sharon Wright asked if the haulers would have to go to bid. O'Connor stated no, it was not subject to the bidding process. Wright asked if tenants left trash would the homeowner be responsible? O'Connor stated yes that the homeowner is always responsible for their property. Wright wanted to know the time frame from code enforcement notice to hauling away. O'Connor stated he didn't know the time frame – that had nothing to do with the Local Law adding a fee for the administration of the violation.

**RESOLUTION ADOPTING LOCAL LAW NO. 5 for 2010**

**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 7:00 p.m. on Tuesday, October 12, 2010, to hear all interested parties on a proposed Local Law entitled "A Local Law Amending Chapter 102 of the Village Code by Adopting a Public Works Administrative Fee"; 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 October 12, 2010, 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 that, due to the additional inspections and documentation necessary to perform additional public works services, it in the best interest of the Village to add a reasonable administrative fee and to adopt said Local Law,

**NOW, THEREFORE**, the Village Board of Trustees of the Village of Deposit hereby adopts said Local Law entitled "A Local Law Amending Chapter 102 of the Village Code by Adopting a Public Works Administrative Fee" as Local Law No. 5 for 2010 and the Village Clerk is directed to enter said Local Law No. 5 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: 4      Nays:1

Trustee McKee	aye
Trustee O'Connell	aye
Trustee Sollecito	nay
Trustee Warner	aye
Mayor O'Connor	aye

Dated: October 12, 2010

The Public Hearing was closed at 7:10 p.m.

PUBLIC HEARING  
LOCAL LAW #6  
AMENDING CHAPTER 140, VEHICLE AND TRAFFIC  
7:10 P.M.

President O'Connor stated the reason for the local law was to have a village wide speed limit of 30 mph and if the police ticket someone in the village for speed the village gets to keep the fine. The amount the Village gets to retain is subject to a cap based on \$5 per village inhabitant based on the last census.

O'Connor opened the meeting to the public: There was no comment. The board of trustees had no comment.

**RESOLUTION ADOPTING LOCAL LAW NO. 6 for 2010**

**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 7:00 p.m. on Tuesday, October 12, 2010, to hear all interested parties on a proposed Local Law entitled "A Local Law Amending Chapter 140 of the Code of the Village of Deposit, Vehicles and Traffic"; 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 October 12, 2010, 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. 6 for 2010 and the Village Clerk is directed to enter said Local Law No. 6 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: 4	Nays: 1
Trustee McKee	aye
Trustee O'Connell	aye
Trustee Sollecito	nay
Trustee Warner	aye
Mayor O'Connor	aye

Dated: October 12, 2010

The Public Hearing was closed at 7:20 p.m.

MOTION#181/10-11

A motion was made by Trustee Warner seconded by Trustee McKee to waive the reading of the minutes of September 14 Regular Session and the September 28 Work Session. The motion carried unanimously.

MOTION#182/10-11

A motion was made by Trustee Warner seconded by Trustee O'Connell to accept for filing the September 14 Regular Session and the September 28<sup>th</sup> Work Session minutes as submitted. The motion carried unanimously.

MOTION#183/10-11

A motion was made by Trustee McKee seconded by Trustee Warner to accept for filing the monthly Police report for September 2010. The motion carried unanimously.

MOTION#184/10-11

A motion was made by Trustee O'Connell seconded by Trustee McKee to accept for filing the monthly EMS report for September 2010. The motion carried unanimously.

MOTION#185/10-11

A motion was made by Trustee McKee seconded by Trustee Warner to accept for filing the monthly Treasurer's report for September 2010. The motion carried unanimously.

MOTION#186/10-11

A motion was made by Trustee O'Connell seconded by Trustee Warner to accept for filing the monthly court report for September 2010. The motion carried unanimously.

OLD BUSINESS

STREETS

Hubbard stated that the Village crew had performed 77 work orders and 28 for the OLWWTP. The crew has been working on various things such as leaf pickup. Hubbard asked that the Planning Board look at stop signs for intersections at Mill and Dublin St., Upper Pine and Sunrise Terrace. Decker said she will get the Planning Board Chair the information.

Hubbard stated that the soft start switch has been installed by Vacri at well house #1.

Hubbard also stated that the residents on Airport Rd. would like to hook up to Village water now that we own the IDA Lines.

WATER

None

SEWER

None

BUILDINGS

None

FIRE DEPARTMENT

None

EMS

Captain Couse stated that Royal auto had found that there were two bad injectors and the parts had been ordered – could be another two weeks before the ambulance was back in service. She also stated that the tow charge was not covered by insurance.

POLICE DEPARTMENT

None

PRESIDENT

O'Connor informed Georganna Carson that she had done a good job on her survey – he asked for the results and she had none at this time.

TRUSTEES

None

FINANCE

None

NEW BUSINESS

STREETS

None

WATER

MOTION#187/10-11

A motion was made by Trustee Warner seconded by Trustee McKee to authorize the Mayor's signature on the Shumaker not to exceed \$5,700 agreement for our DRBC Permit Renewal. The motion carried unanimously.

SEWER

None

BUILDINGS

None

FIRE DEPARTMENT

None

EMS

MOTION#188/10-11

A motion was made by Trustee O'Connell seconded by Trustee McKee to authorize the purchase of blood pressure monitors at a cost of \$2615.00 to be taken from A4540.2. The motion carried unanimously.

President O'Connor commended the EMS on a good inspection dinner – he had heard that all went very well.

Captain Couse informed the board that a demo ambulance would be at the Fire Hall on Thursday October 14, 2010 at 6:30 and invited the board to stop by and take a look. She stated it was a Braun Ambulance very similar to what we have now.

POLICE DEPARTMENT

None

PRESIDENT

President O'Connor informed the board that the Deposit Events Committee would be holding their first annual Halloween Costume Party on October 30, 2010 at 5 p.m. at the Masonic Hall. The entire community is invited.

O'Connor then informed the board that the fishing access by the WWTP has been closed until further notice. Work needs to be done to repair the access and the DEC will not allow work after October 15<sup>th</sup> – repair will have to be done in the spring of next year.

MOTION#189/10-11

O'Connor informed the board of the letter received from Jeanne Tucker on the Christmas parade on November 26, 2010 at 5:30 inviting the Village officials to join in the parade. A motion was made by Trustee Warner seconded by Trustee McKee to authorize the DPW and the PD to close off Front St. for the parade and to bring the parade stand in front of Hartz' s for Santa Claus. The motion carried unanimously.

TRUSTEES

None

FINANCE

MOTION#190/10-11

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

General Fund	\$ 73,255.13
Water Fund	\$ 8,225.93
Sewer Fund	\$ 6,753.70
T&A	\$ 1,868.20

The motion carried unanimously.

President O'Connor then explained the information the DRBC is requiring for our 10 year permit renewal. The engineers need direction to develop the plan to sell water in the future. The following motion was offered:

MOTION#191/10-11

A motion was made by Trustee McKee seconded by Trustee Warner to authorize Shumaker Engineers to consider using Well #5 or tapping into the main by Well#5 as primary and Well #2 as secondary in our excess water withdrawal plan and to determine the most cost effective option. The motion carried unanimously.

GUESTS

Georganna Carson asked Captain Couse if their blood pressure monitors were accurate when in the ambulance. Couse told Mrs. Carson that they were – they were much improved in that regard.

Mrs. Carson wondered if the Village knew about the 200 Anniversary of the Village in 2011. President O'Connor said he did not but would pass that info along to the Historical Society.

Mr. Musante wanted to tell the board that he was very impressed with the web site – thanks for a good job.

MOTION#192/10-11

A motion was made by Trustee O'Connell seconded by Trustee McKee to enter into and out of executive session to discuss specific personnel. The motion carried unanimously.

MOTION#193/10-11

A motion was made by Trustee O'Connell seconded by Trustee Warner to accept the EMS applications of Ryan Vandermark, Jon O'Connor and Ted Baker. The motion carried unanimously.

The meeting was adjourned at 8:35 p.m.

Respectfully Submitted