

REGULAR SESSION OF THE VILLAGE BOARD OF TRUSTEES HELD ON JANUARY 8, 2008 AT 7:00 P.M. AT THE DEPOSIT THEATER

PRESENT: President Smith, Trustees Sollecito, Bullis, and O'Connor, C/T Decker, DCT Leonard, PWA Hubbard, Chief Cantwell, Amy Kenyon, Debbie Stever, Gerard Kamp, Eddie Joe Pavlov, Georgianna Carson, Peder Hanson, Terry and Stacey Whiting, Tony Smith, Lucy Lantz, Sharon Wright, Frank Fineout, Larry Schaefer, Joe Ermeti, Wayne Raymond, Kaitlen Diffendiffer

President Smith opened the meeting at 7:05 P.m.

PUBLIC HEARING  
NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE  
7:10 P.M.

President Smith opened the Public Hearing to the public for comment on the NYS Uniform Prevention and Building Code.

Sharon Wright asked how this differed from last years. She asked about building permit applications, remodeling guidelines, energy efficient guidelines, and solid fuel burning stoves. President Smith referred Ms. Wright to Barry Conklin our Code Enforcement Officer for those answers. There being no other comments, President Smith asked the board for any input. There being no further discussion the board adopted the following resolution:

RESOLUTION ADOPTING LOCAL LAW NO. 1 for 2008

**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, January 8, 2008 to hear all interested parties on a proposed Local Law entitled "A Local Law Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code"; 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 January 8, 2008 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. 1 for 2008 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: 4      Nays: 1

Trustee O'Connor voting	Aye
Trustee Sollecito voting	Aye
Trustee Bullis voting	Aye
Trustee        voting	Nay
Mayor Smith voting	Aye

Dated: January 8, 2008

MOTION#911-08/09

A motion was made by Trustee Sollecito seconded by Trustee Bullis to accept for filing the monthly Treasurer's Report. The motion carried unanimously.

MOTION#912-08/09

A motion was made by Trustee Sollecito seconded by Trustee Bullis to waive the reading of the December 11<sup>th</sup> and December 12<sup>th</sup>, 2007 minutes. The motion carried unanimously.

MOTION#913-08/09

A motion was made by Trustee Sollecito seconded by Trustee Bullis to accept for filing the December 11<sup>th</sup> and December 12<sup>th</sup>, 2007 minutes. The motion carried unanimously.

MOTION#914-08/09

A motion was made by Trustee Sollecito seconded by Trustee Bullis to accept for filing the November and December Police Department monthly report. The motion unanimously carried.

OLD BUSINESS

Streets:

PWA Hubbard stated that the crew had performed 69 work orders and 36 at the OLWWTP. The village included plowing the streets, court room renovations, cinder and salting the streets, replacing water meters, completing the sidewalk list, helping Vacri with the hydrant installation, hauling sludge from the plant, chlorine pumps installed in well house # and #5 to name a few.

WATER:

Hubbard explained that five (5) hydrants had been repaired or replaced, some in critical areas. When done Hubbard said it would be a real tribute to the Village to have all hydrants operational. Hubbard gave an update on the directional drilling – the construction company should be here the week of January 14<sup>th</sup> and should take about two weeks to complete.

SEWER:

Hubbard explained he was not happy with the work being done at the WWTP. He stated further that there were only two workers. Nothing seemed to be getting done. He said the company's sign was an embarrassment. It should be more professional. Hubbard stated there was a meeting on January 10<sup>th</sup> at the Village Hall at 10:00 a.m. – these issues would be discussed at that time.

BUILDINGS:

FIRE DEPARTMENT:

MOTION#915/08-09

A motion was made by Trustee Bullis seconded by Trustee Sollecito to hire Three Eye Graphics at \$600 to letter the brush truck. The motion carried unanimously.

EMS:

There was discussion about those wishing to attend the Annual EMS Training Class and the response hours for each. Trustee O'Connor felt that many of the hours were on standby for football games, lumberjack festival. He went on to say that the board hears complaints about response – or rather no response – by the taxpayers all the time and he felt the on call teams needed to take responsibility for not showing – he also took the time to name some of those members that respond all the time – such as Donna Hartz, Esther Lengel, Tiffany Rynearson, and Renee Conklin. President Smith then asked Chief Shawn Rynearson to follow the EMS'S own rules and regs and look at the list of people signed up for the class and see if they are members in good standing. If so the

Village will pay for the class – if not, the individual must pay for their own class.  
Rynearson was asked to have that information by work session.

POLICE DEPT:

MOTION#916-08/09

A motion was made by Trustee O'Connor seconded by Trustee Bullis to purchase a Dell server at \$700 to be taken from Fund Balance for the Police Department. The motion carried unanimously.

TRUSTEES:

Trustee O'Connor informed the public that Steve Herz was still looking for a village representative for this internet committee. If anyone was interested they could call Steve at 655-2604.

O'Connor also requested monthly meeting minutes from the planning and zoning boards.

FINANCE

New Business  
STREETS

WATER

SEWER:

MOTION#917-08/09

A motion was made by Trustee O'Connor seconded by Trustee Bullis to authorize the expenditure of \$8,750 by Shamrock Services for televising services in 2005 and 2006. This expense was required in order to fulfill our NYS DEC consent order and plant design specifications. The motion carried unanimously.

MOTION#918-08/09

A motion was made by Trustee O'Connor seconded by Trustee Sollecito authorizing up to \$25,000 of the Economic Development Coordinators salary from 2005 through 2009 be allocated for time spent on the WWTP project. The Economic Development Coordinator is responsible for coordinating various funding sources and meeting grant requirements. The motion carried unanimously.

RESOLUTION

The Village Board of Trustees is having a Special Meeting of the Village Board of Trustees on January 16<sup>th</sup>, 2008 at 6:00 p.m. at the Village Hall. The Board anticipates convening an executive session to discuss the possible acquisition of real property.

Trustee O'Connor	Aye
Trustee Sollecito	Aye
Trustee Bullis	Aye
Trustee Smith	Aye

Kenyon went thru the SEA (short environmental assessment) form in regards to the Dadras Report as having no adverse impact. Kenyon then gave an update on the Waterfront Grant: the RFP's came back with one proposal – that being from Dadras. Moving forward will include a meeting for the scope of the project then possibly two community meetings then maps and plans will be drawn up and these will need approval from the NYS Dept. of State. Kenyon is looking for a contract with Dadras at the work session. Trustee O'Connor asked about the Libous streetscape grant – where were we with that. Hubbard replied that we were waiting on Shumaker.

BUILDINGS:

FIRE DEPARTMENT:

EMS

POLICE DEPT.

MOTION#919-08/09

A motion was made by Trustee Bullis seconded by Trustee O'Connor to change the personnel policy to reflect 60 days to use a holiday worked rather than ten days. The motion carried unanimously.

MOTION#920-08/09

A motion was made by Trustee Bullis seconded by Trustee Sollecito to increase the weekend rounds to three hours per day – up from two – effective with the 08-09 budgets in March. The motion carried unanimously.

C/T Decker stated that there were some other changes the employees wanted from the personnel policy. President Smith read the letter that thanked the board for a 4% raise and the health insurance change but asked for a change in the sick day policy. The employees asked for 12 days and be allowed to accumulate 120. This is an increase from the five allowed now with the “use it or lose it” policy. President Smith stated that we could not make a decision on this without knowing the impact of seven more days on the budget and Trustee Sollecito wanted to see other examples from Villages and Towns.

Chief Cantwell informed the board that on 12-28-07 an officer was injured in the line of duty, treated for minor injuries and was back to work the next day. The PD had a radar unit that wouldn't qualify for calibration-the dept. is going to get it repaired as new ones cost \$2200.

Cantwell announced to the board that the Police Dept. had received a data master terminal or breathe analysis from DCJS that is in service now – he further stated that he was going to archive the old one.

PRESIDENT:

MOTION#921-08/09

A motion was made by Trustee Sollecito seconded by Trustee Bullis to authorize the Mayor's signature on a one year contract with Delaware County Planning for \$3500. The motion carried unanimously.

MOTION#922-08/09

A motion was made by Trustee O'Connor seconded by Trustee Sollecito appointing Kendra Hanson as Zoning Board Chairperson effective immediately. The motion carried unanimously.

FINANCE:

C/T Decker informed the board that the court would like to double the fines for parking tickets unpaid after 21 days. The fine is \$10 if paid on time – if not paid in 21 days the fine would double to \$20.00. President Smith instructed Decker to have the attorney begin the process of changing the code.

MOTION#923-08/09

A motion was made by Trustee O'Connor seconded by Trustee Bullis to hire Mary Cable, Doris Gruscavage, and Bonnie Faulkner as election inspectors at \$8.00 per hour. The motion carried unanimously.

MOTION#924-08/09

A motion was made by Trustee Sollecito seconded by Trustee O'Connor to hire John Cleary as Election Custodian at \$50.00. The motion carried unanimously.

MOTION #925-08/09

A motion was made by Trustee O'Connor seconded by Trustee Bullis to authorize the Mayor's signature on the abstract of audited vouchers as follows:

General Fund:	\$ 78,911.97
Water Fund:	\$ 10,512.86
Sewer Fund:	\$ 15,803.42

T& A Fund: \$ 2,852.28

The motion carried unanimously.

RESOLUTION APPROVING TENTATIVE BUDGET  
FOR 2/28/08-3/1/09  
AND DIRECTING PUBLIC HEARING THEREON

The Board of Trustees of the Village of Deposit, duly convened in regular session, does hereby resolve as follows:

SECTION 1. Pursuant to and in accordance with the provisions of Article 5 of the New York State Village Law and other applicable provisions of law, the annexed detailed statement of estimated expenditures and revenues be and the same hereby is approved and adopted as the Tentative Budget of the Village of Deposit (the "Village") for the fiscal year beginning February 28, 2008. Such Tentative Budget shall be filed forthwith in the office of the Village Clerk where it shall be available for public inspection.

SECTION 2. The Board of Trustees of the Village shall meet at the Deposit Theater, Front Street in the Village on January 22, 2008 at 7 pm and then and there hold a public hearing upon such tentative budget.

SECTION 3. The Village Clerk shall give notice of such public hearing by publishing notice thereof in the Deposit Courier, the official newspaper of the Village at least five (5) days prior to January 22, 2008 and shall cause a copy of said notice to be posted on the signboard of the Village not later than five (5) days before January 22, 2008.

Dated: January 8, 2008

Trustee Sollectio	Aye
Trustee O'Connor	Aye
Trustee Bullis	Aye
Mayor Smith	Aye
Trustee_____	Nay

MOTION#926-08/09

A motion was made by Trustee Bullis seconded y Trustee O'Connor to authorize the Mayor's signature on the annual Stop DWI Contract in the amount of \$820.00. The motion carried unanimously.

GUESTS:

Gerard Kamp was present to discuss the status of the FEMA maps for the Village. President Smith told him that they are in the process of being updated. Smith informed Kamp that he and PWA Hubbard had gone to a meeting in Dela. Cty and gave them all the updated pertinent information on the new maps. Mr. Kamp stated he thought a site specific map could be done for the Dollar General Lot. President Smith offered the Village engineer to shoot new elevation points – Kamp said he would contact them

Peder Hanson informed the board that yet again it is time to contact the DRBC pertaining to the passing of the flexible flow plan on January 18<sup>th</sup>. He reminded the board of the sequence of events – with many postponements of the vote for the flexible flow law, the many letters that have been written and so forth. The board gave him permission to call or write to a warehouse in Albany that keeps any and all map revisions in the country to ask for copies of what they have on our flood maps. Hanson also asked that the Village Board write to the DRBC before the January 18<sup>th</sup> deadline similar to the one written in April. The Village agreed to do so.

Next Larry Schaefer came to address the board about his 1999 agreement for five free water hookups on his property. He asked the board if there were any comments regarding his hookups?? He also had his attorney, Mr. Joe Ermeti with him. Schaefer stated the Village should honor the previous agreement. President Smith stated that since he had brought his attorney with him, the Village would have their attorney address the issue. President Smith further stated that the Village will honor the agreement with Schaefer not Cocca Development.

MOTION#927-08/09

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

MOTION #928-08/09

A motion was made by Trustee Sollecito seconded by Trustee Bullis to accept the application of Liz Moore to the EMS Squad on the condition that the votes by the squad are moved to the correct spot on the application. The motion carried unanimously.

Comp time was discussed for the salaried employees. Information from the village attorney will be available at the next board meeting.

The meeting was adjourned at 9:50 p.m.