

WORK SESSION OF THE VILLAGE OF DEPOSIT HELD ON JANUARY 27, 2009 AT THE DEPOSIT COMMUNITY THEATER AT 7:00 P.M.

PRESENT: President Smith, Beth Westfall Esq., Dale Downin Deputy CEO, Trustees Sollecito, O'Connell, O'Connor, and Warner, CT Decker, DCT Budine, Barry Conklin CEO, Debbie Stever, Pete Sollecito, Marlene Bullis, Debbie Tarbox, Georganna Carson, Sarah Evans, Planning Chair, Lucy Lantz, Shawn Rynearson Assit Fire Chief, Kendra Hanson Zoning Chair, Gerard Kamp, Bob Davis Esq, Mr. Rajopi and Chief Cantwell. PWA Brad Hubbard-Absent.

MOTION#286/08-09

A motion was made by Trustee O'Connor seconded by Trustee Sollecito to enter into executive session to discuss pending litigation. CEO Conklin, Deputy CEO Downin were invited. The motion carried unanimously.

MOTION#287/08-09

A motion was made by Trustee Sollecito seconded by Trustee Warner to come out of executive session. The motion carried unanimously.

MOTION#288/08-09

A motion was made by Trustee O'Connor seconded by Trustee Sollecito to show the Village board considered the appeal request of Center of Deposit FOIL. After discussion the final determination was to uphold its denial in its entirety. The motion carried unanimously.

President Smith welcomed all. He then opened the public hearing.

**PUBLIC HEARING
Local Law #1 of 2009
7:00 p.m.**

A Local Law amending Appendix I to Chapter 140 – Zoning – of the Code of the Village of Deposit by adding Laundromats/hand laundry/dry cleaners as Permitted Uses in the Central Business District (C-B).

Smith stated he was pleased with this opportunity to possibly allow new businesses in the Village. He asked for public comment. Bob Davis, Esq. stated he hoped the Village board gave careful consideration to allowing a Laundromat on Front St. in the Village. If approved, his clients are ready to begin sub-division and site plan review. There being no more comments President Smith closed the public portion of the hearing. He then asked for board comments. Trustee Sollecito stated she thought this was a great opportunity for the village.

President Smith closed the Public Hearing at 7:07 p.m.

RESOLUTION ADOPTING LOCAL LAW NO. 1 for 2009

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 Meadowpark Community Center, 85 Fair Street, Deposit, New York at 7 pm on Tuesday, January 27, 2009 to hear all interested parties on a proposed Local Law entitled "A Local Law Amending Appendix I to Chapter 140 – Zoning – of the Code of The Village of Deposit by Adding Laundromats/Hand Laundry/Dry Cleaners as Permitted Uses in the Central Business (C-B) District"; and

WHEREAS, the environmental significance of the Local Law No. 1 was considered by reviewing a short-form Environmental Assessment Form (EAF) and the action was determined to be an unlisted action under the New York State Environmental

Quality Review Act (SEQRA), and the action was further determined to have no significant impacts on the environment; 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 27, 2009 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 declares the action to be an unlisted action under the New York State Environmental Quality Review Act and hereby determines that the action will not have a significant impact on the environment and hereby issues a negative declaration in connection with the action; and

FURTHER, the Village Board of Trustees of the Village of Deposit hereby adopts said Local Law as Local Law No. 1 for 2009 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, and the Village Clerk is further directed to publish an abstract of Local Law No. 1 for 2009 once in the Deposit Courier and to post a copy of Local Law No. 1 on the Village Clerk’s sign board.

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

Ayes: 5	Nays: 0
Trustee Sollecito	Aye
Trustee O’Connor	Aye
Trustee O’Connell	Aye
Trustee Warner	Aye
Mayor Smith	Aye

Dated: January 27, 2009

**PUBLIC HEARING
7: 10 P.M.
GENERAL FUND BUDGET 2009-2010**

President Smith opened the Public Hearing on the General Fund Budget for 2009 -2010 with explanations for increases in expenses and decreased revenues. The tax rate for Delaware County will be 4.8% and Broome County 6.6%. He further stated that the General Fund owes NO debt. We own all equipment and trucks outright. He explained that the youth program will be administered differently this year with each municipality contributing a fair share and the school offering \$5000.

President Smith stated that each year we work very hard on our budgets and do the best we can for the taxpayers. He then asked for public comment. Dean Price asked for clarification of the tax rate increases. There being no more public comment, Smith asked the board for comment.

Smith closed the public hearing at 7:20 p.m.

MOTION#289/08-09

A roll call vote was asked for approval of the 2009-2010 General fund budget in the amount of \$1,079,327.00 as follows:

Trustee Sollecito	Aye
Trustee O’Connell	Aye

Trustee O'Connor Aye
Trustee Warner Aye
President Smith Aye

MOTION#290/08-09

A motion was made by Trustee O'Connell seconded by Trustee Sollecito to accept the January 2009 Code Enforcement Report for filing as submitted. The motion carried unanimously.

MOTION#291/08-09

A motion was made by Trustee Sollecito seconded by Trustee Warner to accept the Police Report for filing as submitted. The motion carried unanimously.

Trustee O'Connor opened the equipment bids as follows:

Warner Livestock:		Eric Smith
Street Sweeper	\$250	Chevy Truck \$478.50
85 Chevy Truck	\$400	
Roller	\$150	

MOTION#292/08-09

A motion was made by Trustee O'Connor seconded by Trustee Sollecito to award the roller bid for \$150 and the street sweeper for \$250 to Warner Livestock. The bid for the 85 Chevy truck with plow was awarded to Eric Smith for \$478.50. The motion carried unanimously.

OLD BUSINESS

Streets:

Hubbard stated he and Dale VanPelt had attended the Delaware County Highway Association meeting and learned that Governor Patterson is cutting the CHIPS revenue by 40% in the upcoming year. He asked that we write to our elected officials protesting this revenue cut.

Hubbard also stated that Delaware County had passed a resolution that there would be no plowing of roads in Dela Cty from 8:00 p.m. to 4 a.m.

Hubbard informed the board that he had contacted several contractors about the leaking roof at the Fire Dept. They all stated that the ventilation system had to be reinstalled. The Village DPW will install the ventilation system, cut insulation to allow drying, lower the thermostat, and install fans if need be. When dry the insulation can be taped back together.

Fire Dept.

Trustee O'Connor stated that the FD had a training session on Sat. and he was very pleased with the turn out. From there they had some hands on training with the sprinkler system at the State Theater.

Police Dept.

Chief Cantwell informed the board that he had talked to Ray Seyforth about the Ice Cream Run. He told him he has to bring to the board his plans for the run before any decisions can be made.

President Smith announced that Georganna Carson has offered to be the point person for the Downtown Revitalization Grant. Smith said he would pass the information on the Amy Kenyon.

Trustees:

Trustee O'Connor stated that Firemen's Park is closed – the road is closed. Broome County wants to bring the road up to specs and then turn over to the Village. O'Connor stated he was in favor of this.

Trustee Sollecito stated that she hoped to have the Village Web Site up and running in the next few months.

NEW BUSINESS

Streets:

President Smith stated he had a complaint from 13 Clark St. on the snow removal charges – homeowner would like them removed. The board had documentation that it had snowed 6.5 inches on December 19th – by Sunday the homeowner was in violation. Even if his hired person shoveled on Monday, he was still in violation. The board denied his request to remove the charges.

MOTION#293/08-09

A motion was made by Trustee Sollecito seconded by Trustee O'Connell to allow the Pee Wee Wrestling to have a pig roast on June 13th, 2009 on the Village property across from the Village hall. The motion carried unanimously.

Water

Sewer

Buildings

Fire Dept.

MOTION#294/08-09

A motion was made by Trustee Sollecito seconded Trustee O'Connell to allow Assistant Fire Chief Rynearson to take the command vehicle to Green Point LI to attend a parade February 13 – 15th. The motion carried unanimously.

EMS

PD

President:

MOTION#295/08-09

A motion was made by Trustee O'Connor seconded by Trustee Warner after comparing polices, to authorize the Mayors signature on the Partners Ins. Policy beginning March 1, 2009 at a much lower annual premium. The motion carried unanimously.

MOTION#296/08-09

A motion was made by Trustee O'Connor seconded by Trustee Sollecito to authorize the mayor's signature on the Office of Community Renewal grant of \$15,000 for the preliminary engineering study of the future water loop project. The motion carried unanimously.

President Smith read a request from Tonia Hollen for no parking along the second street side of the country store after an accident with her vehicle. Smith stated he would forward her request to the planning board.

VILLAGE OF DEPOSIT BOARD OF TRUSTEES

RESOLUTION AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE COUNTY OF BROOME TO PROVIDE FOR THE REPLACEMENT OF AND IMPROVEMENTS TO THE SECOND STREET STORM WATER COLLECTION SYSTEM

WHEREAS, pursuant to Broome County Local Law No 6 of 1967, portions of old New York State Highway Number 17 located in the Towns of Windsor and Sanford including the villages located in said towns were added to the county highway map and have been thereafter maintained by Broome County, including Second Street in the Village of Deposit; and

WHEREAS, Broome County has maintained the storm water collection system on Second Street in the Village of Deposit; and

WHEREAS, over the years the Village of Deposit has installed and maintains a storm water collection system along various village streets connecting to the Second Street collection system at various points; and

WHEREAS, during heavy storms the capacity of the combined collection systems to handle the storm water run off is exceeded and intermittent surface flooding along Second Street occurs; and

WHEREAS, the Broome County Legislature has approved a 2009 capital project in the amount of \$650,000 with \$400,000 to be provided through a state grant to the Village for replacing the undersized storm water collection system along Second Street in the Village of Deposit; and

WHEREAS, the Village of Deposit has applied for and received a New York State Office of Community Renewal Small Cities Community Development Block Grant (CDBG) in the amount of \$400,000.00 for improvements and upgrades to the Village's storm water collection system; and

WHEREAS, the Village and the County desire to coordinate the improvements to the Village and County storm water collections systems along Second Street in the Village, now, therefore, be it

RESOLVED, that the Board of Trustees of the Village of Deposit hereby authorizes an inter-municipal agreement with the County of Broome to provide for the replacement of and improvements to the Second Street storm water collection system (the "Project") to include the following terms and conditions:

1. The Project will take place within the Village in the area delineated on the attached Exhibit A (Alternative #3 – Figure 6 – Woidt Engineering & Consulting Study – January 16, 2008).
2. Any rights of way or easements that may be required will be provided by the Village prior to commencement of the Project.
3. The County will enter into a contract with an engineering firm to design and prepare bid specifications for the project and to provide construction oversight.
4. The County will advertise for bids, review bids received and award contracts for the construction of the Project subject to prior approval of the Village and the New York State Office of Community Renewal.
5. The total cost of the project, including engineering services, will not exceed \$650,000.00.
6. The Village will be the lead agency in connection with any required environmental reviews of the Project, pursuant to the New York State Environmental Quality Review Act ("SEQR").
7. The Village will be the administrator of the CDBG grant.
8. The Village, using CDBG monies, will reimburse the County for the first \$400,000 expended by the County on the Project.
9. The balance of the project costs will be paid by the County up to the maximum Capital Project cost of \$650,000 from 2009 CIP budget number 035030.2017.501583 (Deposit 2nd Street Drainage).

and be it

FURTHER RESOLVED, that the Mayor of the Village of Deposit or his duly authorized representative is hereby empowered to execute any such agreements, documents, or papers as may be necessary to implement the intent and purpose of this Resolution.

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

Trustee O'Connor	Voting	Aye
Trustee O'Connell	Voting	Aye
Trustee Sollecito	Voting	Aye
Trustee Warner	Voting	Aye
Mayor Smith	Voting	Aye

The resolution was thereupon declared duly adopted.

Resolution Determining Lead Agency

A RESOLUTION RELATING TO THE INITIAL REVIEW, UNDER THE

**STATE ENVIRONMENT QUALITY REVIEW (“SEQR”) LAW OF A PROPOSED
CAPITAL PROJECT AND INTER-MUNICIPAL AGREEMENT WITH BROOME
COUNTY FOR
THE REPLACEMENT OF THE UNDERSIZED STORM WATER COLLECTION
SYSTEM ALONG SECOND STREET IN THE VILLAGE OF DEPOSIT (the
“PROJECT”)**

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 §617.6 (Initial Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations (6 NYCRR part 617) the Board of Trustees of the Village of Deposit hereby makes the following determinations and classifications with respect to the Village of Deposit proposed project:

1. The Board of Trustees of the Village of Deposit hereby determines that the action is subject to SEQR.

2. The Board of Trustees of the Village of Deposit hereby determines that the action involves other agencies, namely: Broome County, New York State Office of Community Renewal, and the New York State Department of Environmental Conservation.

3. The Board of Trustees of the Village of Deposit hereby makes a preliminary classification of the action as an unlisted action.

4. The Board of Trustees of the Village of Deposit hereby determines that it is, and will be, the lead agency with respect to the Project.

5. Notice of this resolution shall be mailed to the other involved agencies.

6. This resolution shall take effect immediately.

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

Trustee O’Connor	Voting Aye
Trustee O’Connell	Voting Aye
Trustee Sollecito	Voting Aye
Trustee Warner	Voting Aye
Mayor Smith	Voting Aye

The resolution was thereupon declared duly adopted.

Planning Chair, Sarah Evans, informed the board that the “red box” or USAgain red box on Pine St. needs to be removed until a formal site plan review can be obtained. She also asked about the train being moved – if someone could be contacted in that regard.

MOTION#297/08-09

A motion was made by Trustee O’Connor seconded by Trustee Warner to enter into and out of executive session for specific personnel. The motion carried unanimously.

Meeting adjourned at 8:45 p.m.