

REGULAR SESSION OF THE VILLAGE BOARD OF TRUTEES ON FEBRUARY 8, 2022 AT VILLAGE HALL 61 FRONT ST., AT 7:00 P.M.

PRESENT: Mayor Moore, Trustees Durning, Brown, Price and Warner, C/T Budine, DC/T Shirkey, DPW Supervisor Steve Evans, Mike Musante and John O'Connor.

Mayor Moore led everyone in the pledge of Allegiance.

Mayor Moore opened the public hearing for the 2022-23 Budget. CT Budine explained that this year's General Fund budget reflects the increase in taxpayer's wish to keep the recycling bin of \$13,200.00; the agreed upon annual payment to the EDRLF Committee for the Streetscapes project \$10,000 and pre-determined health insurance and wage increases. Anticipated sales tax revenue was raised by \$5,000 and the reserves from the Police Department, Court and \$15,000 fund balance will be used to offset the increases. Future unsafe building demolition will take to the EDRLF Committee on a case by case basis. Overall increase to BC County tax rate will be \$0.57/1000 and DC County \$0.81/1000. Increases in the water/sewer fund are standard health insurance, wages and cost of goods. This resulted in an increase to quarterly water bill is \$0.76 and sewer bill \$2.52/quarter for an overall annual increase on a minimum water/sewer bill of \$13.12.

MOTION#150/20-21

A motion was made by Trustee price and seconded by Trustee Durning to close the public hearing at 7:11PM. Motion passed unanimously.

MOTION#151/20-21

A motion was made by Trustee Price and seconded by Trustee Durning to approve the 2022-23 Budgets. Motion passed unanimously.

MOTION#152/20-21

A motion was made by Trustee Durning and seconded by Trustee Price to waive reading of the January 11<sup>th</sup> Regular Session, and the January 25<sup>th</sup> Work Session. Motion passed unanimously. Motion passed unanimously

MOTION#153/20-21

A motion was made by Trustee Brown and seconded by Trustee Price to accept for filing the January 11<sup>th</sup> Regular Session, and the January 25<sup>th</sup> Work Session. Motion passed unanimously. Motion passed unanimously

MOTION#154/20-21

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

STREETS/WATER/SEWER

DPW Supervisor Evans reported that the DPW were busy with maintenance and preventative maintenance. They have also been busy with salting and ice removal.

MOTION#155/20-21

A motion was made by Trustee Brown and seconded by Trustee Price to approve the purchase of 4 catch basins for Freedom Pond drainage project slated for the spring, in the amount of \$3244 to come from A5110.4. Motion passed unanimously.

MOTION#156/20-21

A motion was made by Trustee Durning and seconded by Trustee Price to run the help wanted ad for laborer to start March 9, 2022. Motion passed unanimously.

MOTION#157/20-21

A motion was made by Trustee Durning and seconded by Trustee Price to allow 3 of the DPW to attend the NYRW conference from 5/23-5/25 and 2 to drive up for the 2 days. Motion passed unanimously.

MOTION#158/20-21

A motion was made by Trustee Durning and seconded by Trustee Brown to sell our 2006 Bandit chipper to the Town of Deposit as part of the shared services for \$8,000 with the agreement we can use it when needed. Motion passed unanimously.

FIRE DEPARTMENT

Mayor Moore stated that he was asked by the Fire Chief to speak to the lawyer about the need to set boundaries between Eastern Broome and the Fire Department to see if it was legal. Since we have contracted with Eastern Broome ambulance we have had limited first response from our fire department first responders. There is a question as to whether Eastern Broome members or volunteers should be using fire department apparatus. This could cause liability issues. Also, Windsor Fire Department is charging rent to Eastern Broome and he feels we should do that too, possibly \$500 per month.

MOTION#159/20-21

A motion was made by Trustee Price and seconded by Trustee Durning to do away with the med team and the slate of EMS officers. Motion passed. Trustee Brown abstained.

PRESIDENT

Mayor Moore spoke with Molly Oliver regarding Will Smith Park and we should be going to construction in the spring. The culvert projects for Front St., Division St., Marvin St., and Wheeler Street will be replaced this year thru FUDR. Oquaga Creek Park by the fire tower and Deposit community park is slated for bank stabilization and stream restoration. Also the retaining wall and sewer crossing by the sewer plant will be repaired. This spring the Second Street drainage project will begin along with the drainage project for Freedom pond. Mr. Moore stated that a lot of roads are heaving and will have to be addressed in the spring also.

DPW Supervisor said that when the water operator retires he would like to send Ryan Riley for his water license so that he can do weekend rounds.

MOTION#160/20-21

A motion was made by Trustee Price and seconded by Trustee Durning to send Ryan Riley to get his water license. Motion passed unanimously.

Mayor Moore also spoke about our contract for OLWWTP. The rate has not changed on that for years. He would like to consider increasing the rate from 1 and half times, to 2 or two and half times. The board will go over the old contract and look into potential changes and or maybe charging a flat annual rate.

TRUSTEES

No new business

FINANCE

MOTION#161/21-22

A motion was made by Trustee Brown and seconded by Trustee Durning to approve for payment the Abstract of Audited #12 of audited vouchers as listed:

|              |                    |
|--------------|--------------------|
| General Fund | \$23,587.60        |
| Water Fund   | \$17,245.12        |
| Sewer Fund   | <u>\$15,659.21</u> |
|              | \$56,491.93        |

Motion passed unanimously.

MOTION#162/21-22

A motion was made by Trustee Durning and seconded by Trustee Brown to approve the shared services agreement with the Town of Deposit. The motion passed unanimously.

CT Budine stated that Tax Grievance day is February 25<sup>th</sup> from 1-5PM here at Village Hall.

MOTION#163/21-22

A motion was made by Trustee Price and seconded by Trustee Durning to approve the events application of the Deposit Little League set for May 7<sup>th</sup> at 9 AM. The motion passed unanimously.

MOTION#164/21-22

A motion was made by Trustee Brown and seconded by Trustee Durning to approve the Clerk Treasurer due to due from as listed below:

| Due from | Due To   |                  |
|----------|----------|------------------|
| A1325.4  | A1325.1  | \$36.51          |
| A1325.41 | A8160.41 | \$6646.00        |
| A1325.42 |          | \$1662.00        |
| A1910.4  |          | <u>\$4892.00</u> |
|          |          | \$13,200.00      |
| G8120.2  | G8120.1  | \$219.21         |
| G9010.8  | G9030.8  | \$1424.27        |

Motion passed unanimously.

MOTION#165/21-22

A motion was made by Trustee Durning and seconded by Trustee Brown to approve the shared services funds of \$109,363.82 to be moved to reserves so that it can be tracked better when spent. Motion passed unanimously.

MOTION#166/21-22

A motion was made by Trustee Brown and seconded by Trustee Durning to approve the events application for the Deposit Foundation BBQ on October 28<sup>th</sup> at Memorial Park from 1-7PM if they are cooking here and 4-7PM if not. Motion passed unanimously.

MOTION#167/21-22

A meeting of the Board of Trustees of the Village of Deposit, in the County of Broome, New York, was held at the Village Hall, 61 Front Street, Deposit, New York, on February 8, 2022.

There were present: Bryan Moore, Mayor; and

Trustees: Dean Price, John Brown, Jim Durning and Harry Warner

There were absent:

Also present: Karen L. Budine, Village Clerk

\* \* \*

Trustee John Brown offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF DEPOSIT, NEW YORK, ADOPTED FEBRUARY 8, 2022, AUTHORIZING THE ACQUISITION OF A FIRE TRUCK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$325,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$325,000 TO FINANCE SAID APPROPRIATION, AND AUTHORIZING THE EXPENDITURE OF ANY OTHER AVAILABLE FUNDS OF THE FIRE DISTRICT TO PAY A PART OF SAID COST

THE BOARD OF TRUSTEES OF THE VILLAGE OF DEPOSIT, IN THE COUNTY OF BROOME, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Deposit, in the County of Broome, New York (herein called the "Village"), is hereby authorized to acquire a fire truck. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$325,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$325,000 bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any other available funds of the Fire District may be applied toward the cost of said project or redemption of the Village's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes.

Section 2. Bonds of the Village in the principal amount of \$325,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting

Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 27 of the Law, is twenty (20) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the

execution of credit enhancement agreements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in "*Deposit Courier*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF DEPOSIT, NEW YORK

PLEASE TAKE NOTICE that on February 8, 2022, the Board of Trustees of the Village of Deposit, in the County of Broome, New York, adopted a bond resolution entitled:

"Bond Resolution of the Village of Deposit, New York, adopted February 8, 2022, authorizing acquisition of a fire truck, stating the estimated maximum cost thereof is \$325,000, appropriating said amount for such purpose, authorizing the issuance of bonds in the principal amount of \$325,000 to finance said appropriation, and authorizing the expenditure of any other available funds of the Fire District to pay a part of said cost"

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to acquire a fire truck; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$325,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds of the Village in the principal amount of \$325,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon; and STATING that any other available funds of the Fire District may be applied toward the cost of said project or

redemption of the Village's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes;

SECOND: AUTHORIZING the issuance of \$325,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is twenty (20) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: February 8, 2022

Karen L. Budine  
Village Clerk

#### GUESTS

Mike Musante stated that Front Street was posted no bikes, skateboards allowed on the sidewalk. There are some youths who are being reckless when riding on Front Street sidewalks. Mayor Moore stated he will address this with the Sheriff. Mr. Musante went on to state that he loves the aerial map of the Village that has been hung in the Board room. He also stated that when the code book gets digitized it would be good to include Shelly so that some of the definitions in chapter 140 can be made clearer. Mr. Musante also stated that the park by the sewer plant was very nice.

#### MOTION#168/21-22

A motion was made by Trustee Durning and seconded by Trustee Brown to adjourn at 8:10PM. Motion passed unanimously.

Respectfully Submitted:

Karen L. Budine  
Clerk Treasurer