

REGULAR SESSION OF THE VILLAGE BOARD OF TRUSTEES HELD ON
FEBRUARY 13, 2007 AT 7:00 P.M. AT THE DEPOSIT THEATER, FRONT ST.
DEPOSIT NY

PRESENT: President Smith, C/T Decker, PWA Hubbard, Trustees Weis,
O'Connor, Nolan and Axtell-Whiting, Wayne ALdrige, Lucy Lantz, Dee and Pete
Solcoletto, Pam Concato, MaryLou Faigle, Mitch Bush, Jason Moranda, Mrs.
Ruth Buck, Jim Conklin, Sean Ryneerson, Chris Zacarais, Sharon Wirght, Wilber
Dennis

ABSENT: None

President Smith opened the meeting with the pledge of allegiance at 7:00 p.m.

President Smith opened the Public Hearing on the General Fund Budget at 7:00
p.m.

PUBLIC HEARING
GENERAL FUND BUDGET
7:00 p.m.

Trustee Weis asked the board why the raises for the front office had been
changed from what was originally proposed. Decker stated that in draft #3 the
board felt that the 3% was sufficient. President Smith asked the board for their
input. Trustee O'Connor felt the front office ran very well in comparison to other
municipal offices. Trustee Nolan stated that he felt there were other issues that
needed to be addressed first and further felt that the percentage wasn't
consistent with the rest of the staff. There was much discussion at this point on
the retirement system. C/T Decker stated there had been an error in the
registration of some of the full time employees in the retirement system and that
she had discussed the situation at length with a representative of the retirement
system. Employees will be allowed to buy back their years at a length of time
consistent with the years owed at a percentage to be determined after payroll
information is submitted. The board had several questions: 1) what is the annual
cost to the Village in light of this error? 2) Can the Village be held liable? 3) What
if someone wishes to retire before buying back all his or her years? President
Smith then asked what the board wished for the clerk's office wage increase.
Trustee Weiss asked if the rest of the board would consider a 5% raise. She felt
the girls had earned at least that. Trustee O'Connor suggested the board adopt
the budget with draft #4 with the 3% increase. President Smith then explained
the tax rate for Broome County is 3.5% Delaware County is 2.5% with draft #4.
He then asked if the public had any questions. Smith stated that this was the first
increase in taxes in two years. There being none, President Smith asked for a roll
call vote to adopt draft #4 of the budget as submitted pending answers to the
retirement questions as follows:

Trustee Nolan	Aye
Trustee Weiss	Aye
Trustee Axtell Whiting	Aye
Trustee O'Connor	Aye
President Smith	Nay

President Smith closed the Public Hearing at 7:40 p.m.

President Smith then presented the 2007-2008 EDRLF Budget as submitted.
The budget was adopted with a roll call vote as follows:

Trustee Weiss	Aye
Trustee Nolan	Aye
Trustee O'Connor	Aye
Trustee Axtell-Whiting	Aye
President Smith	Aye

A motion was made by Trustee O'Connor seconded by Trustee Axtell-Whiting to accept the monthly Treasurer's report as submitted. The motion carried unanimously.

MOTION#603/07-08

A motion was made by Trustee Nolan seconded by Trustee Weiss to waive the reading of the minutes from Jan. 9th, Jan. 23rd and Jan. 31st. The motion carried unanimously.

MOTION#604/07-08

A motion was made by Trustee Nolan seconded by Trustee Axtell Whiting to accept for filing the minutes from Jan. 9th, Jan. 23rd and Jan. 31st. The motion carried unanimously.

MOTION#605/07-08

A motion was made by Trustee Axtell Whiting seconded by Trustee Nolan to accept for filing the monthly EMS report. The motion carried unanimously.

MOTION#606/07-08

A motion was made by Trustee Axtell Whiting seconded by Trustee Weiss to accept for filing the monthly Fire Dept. report. The motion carried unanimously.

MOTION#608/07-08

A motion was made by Trustee Axtell Whiting seconded by Trustee Weiss to accept for filing the monthly Police Report. The motion carried unanimously.

MOTION#609/07-08

A motion was made by Trustee Axtell Whiting seconded by Trustee Nolan to accept for filing the WWTP Report submitted by Amy Kenyon. The motion carried unanimously

President Smith informed the public that the final dollar amount from the June 28th flood is about \$2,307,488.95. He also stated this dollar amount was without the mitigation proposal for the WWTP.

Old Business

Streets

PWA Hubbard stated that the DPW had completed 73 work orders for the Village and that the OLWWTP had completed 41 work orders. He stated that the crew had been working on the Village hall project including tearing out the old bathrooms, removing the small wall behind the safe in the clerk's office etc. He stated that the new unisex bathroom will be handicapped assessable and that was very costly – just the partitions in the bathroom will be approximately \$2800.00.

Water:

PWA Hubbard stated that there was possibly a leak in the system somewhere as the consumption had increased 80-100,000 gallons per day over what was considered normal. He stated they will keep track of this and call in NY Leak Detectors if necessary.

Sewer:

The Village lost its tractor/snow blower at the plant in the June flood. He would now like to replace this with the same as the Village recently bought for the village garage.

MOTION#610/07-08

A motion was made by Trustee Nolan seconded by Trustee O'Connor to purchase from Afton Equipment a 20 HP tractor/snow blower at \$3,395 with a protective cover at an additional \$250.00 to be taken from G8110.2. The motion carried unanimously.

The generator at the sewer plant was affected by the flood as well and was repaired at FEMA expense. Now it seems that there are more problems such as a fuel pump, gaskets and hoses, and a pressure switch. These repairs will cost approximately \$4406.78. The board asked Hubbard to contact FEMA and ask if reimbursement is possible. Hubbard also gave the board three quotes on the computer In Sewer Plant Operator Conklin's office as follows: Dell - \$843.00, HP - \$798.00 and Karcher Computers - \$750.00. The Board instructed Hubbard to call the engineers and see what specs they might require in a computer first.

C/T Decker stated that sewer account #0599 had submitted a letter from the Dela. Cty Health Dept. stating that his trailer park license had been revoked for lack of infrastructure and electricity. Further, CEO Conklin wrote a letter stating that he had inspected the property and recommends it be billed one unit as there are no trailers at this time and his trailer park license had been revoked. A letter from the Village attorney recommended the same with the stipulation that the arrears be paid in full.

MOTION#611/07-08

A motion was made by Trustee Nolan seconded by Trustee Axtell Whiting to make account #0599 in the water and sewer program one unit down from 21. The motion carried unanimously.

Trustees:

Trustee O'Connor had spoken to Supervisor Decker of the Town of Sanford about housing our Village Court in his building. The board instructed C/T Decker to write the letter.

New Business

FD

President Smith stated the Fire Dept. had three quotes as follows: Clark Electric at \$1235.00, Covey Electric at \$1020.00 and Hartz at \$2307.00. These quotes were for increased electricity for the compressor with two more outlets in the mezzanine. President Smith was going to confer with the Fire Chief to make sure the bids were all the same and the following motion was made:

MOTION#612/07-08

A motion was made by Trustee Nolan seconded by Trustee Weiss to hire Ken Covey Electric at \$1020.00 for fire dept. electrical work pending acceptable quotes. The motion carried unanimously.

NOTICE OF ADOPTION

**BY THE VILLAGE BOARD OF TRUSTEES
OF THE VILLAGE OF DEPOSIT**

LOCAL LAW NO. 1 for 2007

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 9, 2007 to hear all interested parties on a proposed Local Law entitled "Stormwater Management Local Law"; and

WHEREAS, notice of said public hearing was duly advertised in the Deposit Courier, the official newspaper of the Village, on December 20, 2006, and posted on the Village Clerk's Sign Board on December 20, 2006; and

WHEREAS, said public hearing was duly held at the Deposit Theater, Front Street, Deposit, New York at 7 pm on January 9, 2007 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, at its meeting on January 9, 2007, the Village Board of Trustees adopted a resolution declaring itself to be the lead agency in this action pursuant to the New York State Environmental Quality Review Act (SEQRA) and classified this as a Type I action; and

WHEREAS, all of the involved agencies were notified of the Village Board's resolution establishing itself as lead agency and none of the involved agencies has objected to that designation; and

WHEREAS, the Village Board has carefully reviewed a long form Environmental Assessment Form (EAF) and has determined that the adoption of this local law will **not** result in any significant adverse environmental impacts, and in fact will result in beneficial environmental impacts by providing for more careful monitoring and management of storm water runoff; and

WHEREAS, the Village Board, after due deliberation, finds it in the best interest of the Village to issue a negative declaration for purposes of SEQRA; 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 hereby issues a negative declaration in connection with the adoption of this local law pursuant to SEQRA, and authorizes the publication of this negative declaration in the Environmental News Bulletin, if required; and

FURTHERMORE, the Village Board of Trustees of the Village of Deposit hereby adopts said Local Law as Local Law No.1 of 2007, a copy of which is attached hereto and made a part hereof, 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 give due notice of the adoption of said Local Law to 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: 5 Nays: 0

Trustee Axtell-Whiting voting	Aye
Trustee Nolan voting	Aye
Trustee O'Connor voting	Aye
Trustee Weiss voting	Aye
Mayor Smith voting	Aye

Dated: February 13, 2007

PWA Hubbard was then appointed the Storm water Management Officer.

Village of Deposit
February 2007

Resolution Supporting a New York Main Street Application Submitted by SEPP Inc. to the New York State Division of Housing and Community Renewal

Whereas, SEPP, Inc., a local not-for-profit Rural Preservation Company, is eligible to apply to the New York State Division of Housing and Community Renewal (DHCR) for funding under the New York State Main Street Program; and

Whereas, SEPP, Inc., intends to submit an application to DHCR to establish a Façade Renovation program within the downtown area of the Village of Deposit; and

Whereas, the application to DHCR requires a municipal resolution of support for the application; and

Whereas, both a Community Needs Assessment and a Downtown Revitalization Study have pointed to the need for façade renovations to reveal the historic character of some of the buildings in the downtown area;

Therefore, the Village of Deposit Board of Trustees hereby declares its full support for the application submitted by SEPP, Inc. to DHCR. The proposed façade renovation program is fully consistent with the Village's strategic planning efforts to revitalize its downtown and will build upon the recommendations of the Downtown Revitalization Strategy presented to the Village in 2006.

Trustee Weiss	Aye
Trustee O'Connor	Aye
Trustee Nolan	Aye
Trustee Axtell-Whiting	Aye
President Smith	Aye

Finance:

MOTION#613/07-08

A motion was made by Trustee O'Connor seconded by Trustee Nolan to authorize the mayor's signature on the Abstract of Audited vouchers as follows:

General Fund	\$65,917.87
Sewer Fund	\$28,439.68
Water Fund	\$ 7,301.14
T&A	\$ 2,251.56
General Fund Also	\$54,212.05
Water fund also	\$14,428.68
Sewer fund also	\$315,959.68
Consent Order	\$44,079.78

MOTION#614/07-08

A motion was made by Trustee Nolan seconded by Trustee Axtell Whiting to hire Mary Cable, Doris Gruscavage, and Yvonne Faulkner at \$8.00 per hour as election inspectors for the upcoming March 6th elections. The motion carried unanimously.

Assistant Fire Chief Rynearson stated that the tires were in for engine 4 at a cost of \$ 750.00. He also stated the Fire Dept. would like a Verizon cell phone for the new command vehicle at a cost of \$149.00 for the phone and installation at \$11.95 per month and that the other cells phones would have to be replaced as they were analog phones. The board suggested the Fire Dept. look into a package deal for all the phones and come back to the board with those quotes.

MOTION#615/07-08

A motion was made by Trustee Nolan seconded Axtell-Whiting to authorize the purchase of two radios for the Fire Dept. command vehicle at \$502.00 from Tri County Communications. The motion carried unanimously.

Guests:

Pam Cancato- I have lived in Deposit since 1984 in the same house, at 83 2nd St. This new budget year I wish to request that you as our elected officials of the village please adopt section 459-C under NYS Real Property Law; tax exemption for persons w/disabilities and limited income. This exemption was adopted by the NYS Real Property Tax people on June 13th 1997. According to the Real Property in BC, the disability and limited income exemptions have been adopted by Binghamton, Chenango, Conklin, Colesville, Kirkwood, Lisle, Nanicoke and Vestal and Union. I have been diagnosed with MS. I would like you to respect the physically challenged and limited income people. I am also going to the Town of Sanford with the same request. President Smith promised to take action and will talk to our attorney.

Mitch Bush: I am representing lumberjack fest. We were asked to attend this meeting to further explain the \$500 electrical donation requested from the

Village. The committee had previously been asked if the electrical hookups at the well house on Borden St. had been repaired. Mr. Bush stated no -we have to redo all electric-have to get 6 boxes repaired. We were going to do that last year; the first part of July-it wasn't done last year but will be done this year. Trustee O'Connor stated the one thing he has caught flack about was municipalities donating to an organization that gives back to the community. Mr. Bush sated that his feelings are all the organizations in town all work together to enhance the community. Donations that you are give us helps to offset expenses, hence giving a greater net to better enable us to give more back to community. Jim Conklin stated it's hard for me to understand if the lumberjack is successful, why is it necessary to get taxpayers up front to give away more dollars when the festival is completed. If \$500 is truly needed to get up and running--but seems that it is not needed. Why take \$ from the taxpayer and then give it back? President Smith stated the festival committee should revisit the issue of donations.

Wayne Aldridge: I am looking for support from village against a DEC proposal. I am a fly-fishing guide and have been for 8 yrs. I come to the village tonight representing another 15-20 guides. DEC is looking to cut out our livelihood of wild trout fishery –the impact is significant. Norm McBride is spearheading this from DEC-his only response is -send us a response and we'll take a look at it. It seems like discrimination. The DEC did creel survey of wade fishermen, and did not do a survey of boat fisheries. People can go to DEC website and read the proposals on drift boats. Trustee O'Connor stated he has spent a lot of years working on river flows and it seems to him DEC is creating a rift between drift and wade fisherman. Mr. Aldridge stated he is looking for support from the Village in the form of a resolution opposing the restrictions. He continued that he had received support from the Town of Sanford, Deposit and Village of Hancock as well as the Village Chamber of Commerce.-all passed resolutions about banning watercraft. Aldrige stated the river has been declared public hwy for public use. President Smith urged a resolution in favor of not support any DEC regulation of any type of water craft on the river.

MOTION#616/07-08

A motion was made by Trustee O'Connor seconded by Trustee Nolan opposing any DEC regulations prohibiting fishing on the Delaware River from any water craft. The motion carried unanimously.

MOTION#617/07-08

A motion was made by Trustee O'Connor seconded by Trustee Nolan to enter into and out of Executive Session to discuss specific personnel. The motion carried unanimously.

MOTION#618/07-08

A motion was made by Trustee Axtell-Whiting seconded by Trustee Nolan to accept Jon O'Connor's application to the Fire dept. The motion carried unanimously.

MOTION #618/07-08

A motion was made by Trustee Axtell Whiting seconded by Trustee Weiss to accept Darren Stanton's application to the Fire Dept. The motion carried unanimously.

A meeting was set for Feb. 21, 2007 at 7 p.m. to further discuss the retirement system and adopt the budget.