

REGULAR SESSION OF THE VILLAGE BOARD OF TRUSTEES HELD ON  
MARCH 10, 2009 AT 7:00 P.M. AT THE DEPOSIT THEATER

PRESENT:

Mayor O'Connor, Trustees Sollecito, O'Connell, and Warner, C/T Decker, DCT Budine, Wilber Dennis, Shawn Snell, Georgianna and Bob Carson, Jeannie Owens, Marcus Snowman, Assis. Fire Chief Rynearson, Debbie Stever, Nancy Stanton, Sharon Wright, Kevin McKee, Joann Raymond, Ann Schambach, Mary O'Connell, and Chief Cantwell

7:00 p.m. Organizational Meeting

7:15 p.m. President O'Connor opened the Regular session with the Pledge of Allegiance.

President O'Connor announced that Grievance Day for the Village was March 26<sup>th</sup> at 2 p.m. at the Village Hall.

MOTION#24/09-10

A motion was made by Trustee Sollecito seconded by Trustee O'Connell to waive the reading of the minutes of February 10<sup>th</sup> and February 24<sup>th</sup> 2009. The motion carried unanimously.

MOTION#25/09-10

A motion was made by Trustee Sollecito seconded by Trustee Warner to accept for filing the minutes of February 10<sup>th</sup> and February 24<sup>th</sup> 2009. The motion carried unanimously.

MOTION#26/09-10

A motion was made by Trustee O'Connell seconded by Trustee Sollecito to accept for filing the monthly Police Report. The motion carried unanimously.

There was no monthly EMS or Fire Dept. Reports

MOTION#27/09-10

A motion was made by Trustee Sollecito seconded by Trustee Warner to accept for filing the monthly Treasurers Report. The motion carried unanimously.

MOTION#28/09-10

A motion was made by Trustee O'Connell seconded by Trustee Sollecito to accept for filing the February 14, 2009 Planning Board minutes. The motion carried unanimously.

OLD BUSINESS

Streets

President Smith stated that the board had a second request from a Clark St. resident to remove the snow shoveling fee as he had hired a gentleman to shovel and it had been done prior to the deadline. The board all agreed to take no action on this request.

MOTION#29/09-10

A motion was made by Trustee Sollecito seconded by Trustee O'Connell to accept the not to exceed quote from Shumaker Engineers of \$5,600 for the Replacement of Village Fire Hall Roof. The motion carried unanimously.

MOTION#30/09-10

A motion was made by Trustee Warner seconded by Trustee Sollecito to appoint Willis Smith to fill O'Connor's Town of Sanford seat until he is deployed or O'Connor's remaining term of one year is up. The motion carried unanimously.

MOTION#31/09-10

A motion was made by Trustee O'Connell, seconded by Trustee Sollecito to accept for filing the January and February 2009 EMS monthly reports. The motion carried unanimously.

NEW BUSINESS  
Buildings

**A RESOLUTION DECLARING 40 SECOND STREET AN UNSAFE BUILDING, ORDERING THAT IT BE DEMOLISHED OR REPAIRED, ORDERING PROPER NOTICE BE GIVEN AND ORDERING THAT A HEARING BE HELD.**

**WHEREAS**, the Board of Trustees of the Village of Deposit on February 24, 2009, previously authorized the commencement of an action under Chapter 123 of the Village Code for a potentially unsafe building at 40 Second Street, Deposit; and

**WHEREAS**, the Village of Deposit Code Enforcement Officer has presented his written report before this board; and

**WHEREAS**, the Code Enforcement Officer presented the following proof: the roof at 40 Second Street has partially collapsed, which caused the building to be unsafe; the property has improperly distributed loads upon the floors or roofs in which the same are overloaded or which have insufficient strength to be reasonably safe for the purposed used; the building has become so dilapidated, decayed, unsafe or unsanitary or which so utterly fail to provide the amenities essential to decent living that it is unfit for human habitation or is likely to cause sickness or disease to those living therein or adjacent thereto; the building has parts, which are so attached that they may fall and injure members of the public or property and the building because of its condition is unsafe, unsanitary or dangerous to health, safety or general welfare of the people of the Village of Deposit; and

**WHEREAS**, the Code Enforcement Officer presented proof that the property must be demolished or repaired; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Deposit, Broome and Delaware Counties, New York, (the "Village") as follows:

- Section 1. The Board of Trustees of the Village of Deposit declares the building at 40 Second Street unsafe.
- Section 2. The Board of Trustees of the Village of Deposit orders that the building must be demolished or repaired, if it can be done safely.
- Section 3. The Board of Trustees of the Village of Deposit further orders that notice is given to the property owner; in a written form as required by Chapter 123, in a manner of service authorized by Chapter 123 and in a timely manner as set forth by Chapter 123 of the Village Code.
- Section 4. The Board of Trustees of the Village of Deposit orders that a copy of the notice shall be filed in the Office of the County Clerk of the county where the building is located by the Code Enforcement Officer.
- Section 5. The Board of Trustees of the Village of Deposit orders that a hearing be scheduled; whereby both the Village Code Enforcement Officer and Owner be allowed to present evidence.
- Section 6. This Resolution shall take effect immediately.

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

Trustee Smith	Voting Aye
Trustee O'Connell	Voting Aye
Trustee Sollecito	Voting Aye_
Trustee Warner	Voting Aye

The resolution was declared adopted.

A Public Hearing was set for March 24, 2009 at 7:00 p.m.

President:

President O'Connor stated that he had attended a Pool Meeting on March 9, 2009 with Nancy Zacharias and the two Towns along with the school. He further stated that it has been mandated that the drains at the pool have a protective cover and that the coping around the pool needs to be replaced or repaired. He further stated that there was a total of \$46,000 in the pool budget with a 09-10 budget of \$38,130. So the pool program will go forward this summer and hopefully enough money has been raised to make the necessary repairs.

President O'Connor asked the Chief Cantwell to invite community leaders to a meeting concerning a drug problem in the Village. He suggested clergy, school officials, chamber president etc. O'Connor wants input as to what where and how to meet the challenges of drugs in the community. Cantwell stated he would begin the process and keep the mayor abreast.

TRUSTEES

Trustee Smith asked the status of the tanker bids for the Fire Dept. Assist Fire Chief Rynearson stated they had narrowed the bids down to two but wanted to physically take a look at both – their next step. President O'Connor stated he wanted to speak to Ms. Kenyon on possibly a grant application to help pay for the tanker before bids were accepted.

FINANCE

MOTION#32/09-10

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

General Fund:	\$ 67,597.08
Water Fund	\$ 7,932.63
Sewer Fund	\$ 17,361.24
T&A Fund	\$ 1,946.43
WWTP	\$ 463,636.61

The motion carried unanimously.

MOTION#33/09-10

A motion was made by Trustee Sollecito seconded by Trustee Warner to approve the budget adjustments as submitted to close the books for the year. The motion carried unanimously.

MOTION#34/09-10

A motion was made by Trustee Sollecito seconded by Trustee Warner to authorize C/T Decker to begin the computer upgrade process with the Computer Emergency Room quote of \$7,496.00 for a new server, Word 2007, battery backup for the server, a fire wall, updated virus protection, external hard drives for backups and installation. The motion carried unanimously.

MOTION#35/09-10

A motion was made by Trustee Smith seconded by Trustee O'Connor to authorize the Mayor's signature on the Fire and Ambulance annual contracts with Scott Township and the two Towns. The motion carried unanimously.

GUESTS:

Shawn Snell asked about the Front St. Grant for businesses. C/T Decker stated that we were only in the beginning stages, that we had just recently received the signed contract back. As we progressed notices would be put in the paper and so

forth. She also suggested that he stop in the Clerk's Office and see Ms. Kenyon On Thursday.

Wilber Dennis wanted Ms. Kenyon to know that he suggests for the CDBG Grant that Ford Hill have proper drainage and sidewalks. President O'Connor asked him to please put that in writing for Ms. Kenyon.

Nancy Stanton asked the Village Board if the Pee Wee Wrestlers could use the room upstairs in the Village Hall when the school was not available. After much discussion the board informed Nancy that a Hold Harmless Agreement would have to be signed and a schedule worked out as others use the board room too. Nancy also asked that she had applied for a grant to fix the baseball field. She asked that everyone went to FrostedFlakes.com and sign in under support. Trustee Smith stated that the National Guard does similar community projects – he would put in a good word.

Ms. Stanton also asked the status of the community center. Trustee Sollecito informed Nancy that she had a meeting tomorrow at 4:00 p.m. for just that.

Trustee Smith informed the board that the WWTP has two projects that Falter may not complete. The river bank stabilization part of the contract may be done by Lash Contracting – the welding of the tanks may be done by a different contractor. Smith stated in the end it may be cheaper than Falter.

The propane bids were tabled until the work session.

#### MOTION#36/09-10

A motion was made by Trustee Sollecito seconded by Trustee Warner to enter into and out of executive session to discuss specific personnel and pending litigation. The motion carried unanimously.

The meeting was adjourned at 8:30 p.m.