

REGULAR SESSION OF THE VILLAGE BOARD OF TRUSTEES ON MAY 9,  
2006 HELD AT MEADOW PARK COMMUNITY CENTER AT 7:00 P.M.

PRESENT: President Smith, Trustees Nolan, O'Connor, Axtell-Whiting, Weiss,  
C/T Decker, DCT Leonard, PWA Hubbard Wilber Dennis, Ray O'Dell, Dale  
VanPelt, Debbie Stever, Tony Smith, Mary Cable, Craig Raymond, Sharon  
Wright, Jim Conklin

President Smith opened the meeting at 7:00 p.m. and led with the Pledge of  
Alligiance.

PUBLIC HEARING  
No Parking on Front and Dean St.  
7:00 p.m.

President Smith informed the public that the Local Law states that there would be  
no parking on the North side from the intersection with the westerly side of Dean  
St. to a point 30 feet westerly from said intersection and from the intersection  
with the easterly side of Dean St. to a point 30' easterly from said intersection  
with a handicapped parking spot immediately after the 30' no parking spot.

President Smith then asked for public comment. Debbie Stever stated that she  
had just come from a Deposit's Closet meeting and they felt that the  
handicapped spot was unnecessary as not hat many people would be using it  
and that would be one parking spot unused much of the time. There were no  
other comments from the public.

President Smith then asked for comments from the trustees. Trustee Nolan  
asked Ms. Stever if anyone from the Planning Board had talked to the members  
of the Closet board on the parking situation. Ms. Stever said that no one had  
discussed the parking with the board although Me. Leo Cook had stopped in the  
Clerks office to get the details of the pending Local Law. She also stated that the  
Closet would like the law to read No Parking or Standing.

President Smith closed the Public Hearing at 7:05 p.m.

MOTION #407/06-07

A motion was made by Trustee O'Connor seconded by Trustee Axtell-Whiting to  
approve the No Parking Local Law on Front and Dean with the following  
amendments; to remove the handicapped spot and to change the wording to No  
Parking or Standing within the 30 feet. The motion carried unanimously.

PUBLIC HEARING  
Graffiti  
7:10 p.m.

President Smith informed the public that the Graffiti Local Law would allow the  
Village to impose a fine of \$250 after a 15 written notice giving the Village the  
right to enter a premises and remove the graffiti at a cost to the homeowner.

President Smith asked for public comment. There was none.

President Smith asked for comments from the Village Board. There was none.

President Smith closed the Public Hearing at 7:12 p.m.

MOTION#408/06-07

A motion was made by Trustee Nolan seconded by Trustee Axtell-Whiting to  
pass the Local Law of Graffiti. The motion carried unanimously.

RESOLUTION - 2006-

**RESOLUTION ADOPTING LOCAL LAW NO. 3 2006 AMENDING THE CODE  
OF THE VILLAGE OF DEPOSIT BY CREATING CHAPTER 87 ENTITLED,  
"GRAFFITI"**

*Offered by Trustee Nolan*

*Seconded by Trustee Axtell-Whiting*

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 Meadow Park Community Center, 85 Fair Street, Deposit, on May 9, 2006 at 7:15 p.m. to hear all interested parties and a proposed Local Law entitled "A Local Law amending the Code of the Village of Deposit by creating Chapter 87 entitled, "Graffiti". Said Local Law would prohibit the writing, painting or drawing of any inscription, figure or mark of any type on any building or structure or any other real or personal property located in the Village of Deposit, without the express written permission of the owner of the property or his agent.

WHEREAS, notice of said public hearing was duly advertised in the Deposit Courier, the official newspaper of the Village, on May 9, 2006 and posted on the Village Clerk's Sign Board on May 9, 2006 and

WHEREAS, said public hearing was duly held at the Meadow Park Community Center, 85 Fair Street, Deposit, at 7:15 p.m. on May 9, 2006 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. 3 2006 entitled "A Local Law amending the Code of the Village of Deposit by creating Chapter 87 entitled, Graffiti", a copy of which is attached hereto and made a part hereof, and the Village Clerk be and she 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 Stacey Axtell-Whiting voting _____	<u>Aye</u>
Trustee David Nolan voting	Aye
Trustee Lisa Weiss voting	Aye
Trustee John O'Connor voting _____	<u>Aye</u>
President Willis Smith voting	Aye

Dated: May 9, 2006

**MOTION#409/06-07**

A motion was made by Trustee O'Connor seconded by Trustee Nolan to accept the Treasurers Report for filing. The motion carried unanimously.

**MOTION#410/06-07**

A motion was made by Trustee Axtell-Whiting seconded by Trustee Weiss to waive the reading of the minutes from April 25, 2006. The motion carried unanimously.

#### MOTION#411/06-07

A motion was made by Trustee Nolan seconded by Trustee Weiss to accept for filing the minutes from April 25, 2006. The motion carried unanimously.

#### MOTION#412/06-07

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

#### MOTION#413/06-07

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

President Smith informed the board that the voucher process for the Fire Dept. and EMS had to be addressed. Trustee Nolan stated that the Village should not be writing checks back to ourselves in regards to voucher #4798 to the Fire Dept. for a hazmat training class. We need to handle these department requests as we do any others, which is; the board provides prior approval to any training class or vendor, the vendor is then sent a voucher for payment if they accept them or payment is made prior to the class/training session. The department itself should not be reimbursed. Trustee Nolan also stated that the issue of gas mileage should be addressed for volunteers acting in the capacity of their department. A volunteer should not stand the expense of gas to or from training seminars. This also would require prior approval. President Smith informed the board that he would see that the EMS and FD know this procedure.

President Smith then asked for the boards comments on voucher #4796. This is a voucher to the Ladies Auxillary with a \$35.00 Sam's Club fee on the receipt. The Village does not pay for membership to Sam's Club. The board approved payment to both vouchers with an amendment to voucher #4796.

#### OLD BUSINESS

##### Streets

PWA Hubbard stated that the crew completed 56 work orders for the Village and 25 for the OLWWTP. These work orders included brush pick up, installation of a catch basin at 30 Dean St, street sweeping and working with Green Mountain to remove grease within the sewer lines, cleaning behind the Village garage, the pipe on Elm St. has been slip lined, top soil and seeding around water digs, and the old tires have been removed from Proffitts garage. OLWWTP had an inspection doen by DEC recently and the report said the plant equipment was well maintained and operational.

PWA Hubbard stated that Wheeler St. was paved and looked great.

##### Buildings:

PWA Hubbard informed the board that K.E.K. could not get the proper siding for the back of the fire hall. K.E.K. will match as close as possible and then the crew will paint. This will be taken care of within the next two weeks.

##### Water:

PWA Hubbard stated that the pump had been pulled on well house #5 by Ayres Well Drilling and they found a burned wire. The pump was sent for inspection and it was discovered that the pump motor was burned out. Ayres suggested that the probe be put up higher in the well from the motor; that the wire be double cased; and that two check valves be installed. PWA Hubbard stated he would have more information at the work session.

##### Sewer:

PWA Hubbard informed the board that Ms. Sandy Lizlov of the DEC has signed and stamped the final design of the WWTP Upgrade today. This will allow us to move forward. He stated that he had a meeting with Shumaker Engineer to finalize the ERP required by USDA Rural Development. The VA is with Dale

Albeck of the Health Dept. for approval. USDA Rural Development only requires a certificate stating that both have been completed.

PWA Hubbard informed the board that bids will be sent out June 7<sup>th</sup> and can be opened on July 11, 2006. No bids can be awarded until the Village has approval from the Delaware River Basin Commission.

PWA Hubbard informed the board on the gas and diesel bids. In researching the process a little more Hubbard realized that the Village follows proper procedure for gas and diesel bidding.

#### MOTION#414/06-07

A motion was made by Trustee O'Connor seconded by Trustee Axtell-Whiting to award the gas and diesel bid to Mirabito Fuel. The motion carried unanimously.

President Smith then read the letter from Glen Nealis of the Delaware County IDA in regards to the water and sewer lines installed by the IDA. He was under the impression that when completed the Village would take over these lines. Trustee O'Connor stated that he thought it would protect the Village to own the lines. President Smith stated that it gives us control as well. President Smith stated that a meeting with the Town needed to be scheduled. C/T Decker stated that an oversight committee meeting is scheduled for May 18<sup>th</sup>, 2006 at 6:00 p.m.

#### Police

Trustee Nolan stated that Chief Roberts was in the process of working with DCJS for software called eJusticeNY. This software is free and allows the PD to access DCJS network for background checks, criminal history reports, automobile data, etc. The eJusticeNY software will require a VPN access code to enter the system. They are also in the process of implementing the SJS System which is a management information network. This will allow all work to be entered, sorted and categorized on the computer. This then can be printed out monthly. This eliminates much paperwork.

#### Trustees

Trustee O'Connor stated that he was concerned with the Village Crew responding on Good Friday to a possible plugged sewer line. This turned out to be a plugged line within the business. Having the crew respond on a holiday cost the taxpayers \$ 214.38 above and beyond holiday pay. Trustee O'Connor felt there should be a policy in place that addresses just such issues. The board requested C/T Decker to send a letter to the business to try to recoup the costs of having someone respond on a holiday.

Trustee Axtell Whiting addressed the security evaluation and the computer upgrade of the front office. She thought the fees were reasonable and that there needed to be a discussion with the front office on policy for security in the future. Trustee Axtell-Whiting felt that the upgrades were a necessity and basic. She stated she would write the specs to go out to bid.

Wayne Raymond had a request to close Fourth and Sheldon St. on June 10, 2006 from 10 a.m. to 8 p.m. for a benefit. The board wanted to know about thru traffic for that day and are the residents on those streets aware of the benefit. The board would like their questions answered before closing the streets.

#### MOTION #415/06-07

A motion was made by Trustee O'Connor seconded by Trustee Axtell-Whiting to allow the Sherman Bible Chapel to have a chicken BBQ on May 20, 2006 from 7 a.m. to 3 p.m. in the Village parking lot on Front St. The motion carried unanimously.

PWA Hubbard informed the board that there would be 2 F350's from the DPW, three PD units from the PD, two fire trucks from the Fire Dept and one ambulance in the June 3, 2006 Broome County Parade.

MOTION#416/06-07

A motion was made by Trustee O'Connor seconded by Trustee Nolan to pay the abstract of audited vouchers with amendments as follows:

General Fund	\$46,093.48
General Fund Also	\$69,021.62
Sewer Fund	\$10,632.06
Sewer Fund Also	\$18,245.04
Water Fund	\$19,017.29
Water Fund Also	\$11,385.03
TA	\$ 2,043.25
Consent Order	
Fire Hall	\$12,592.98

GUESTS

Wilber Dennis wondered when Ford Hill would be paved. President Smith stated that there had been a study done by Shumaker Engineers as to the drainage problem from Ford Hill. He stated that needed to be addressed before paving, and hopefully would be done at the same time. Mr. Dennis also stated that the house on the corner of Dean and Clark was an eye sore and a tree had fallen on the roof and wondered if the CEO would look into that.

Mary Cable stated that 9 Main was an eye sore as well with a tarp on the roof and the old siding.

President Smith congratulated Tony Smith the new acting justice on the passing of his justice class.

MOTION#417/06-07

A motion was made by Trustee Axtell-Whiting seconded by Trustee Nolan to enter into and out of executive session.

The meeting adjourned at 9:00 p.m.