

REGULAR SESSION OF THE VILLAGE BOARD OF TRUSTEES ON MAY 10,
2005 AT 7:00 P.M. AT MEADOW PARK COMMUNITY CENTER

PRESENT: President Smith, Trustees Edwards, O'Connor, Nolan and Axtell, C/T Decker, PWA Hubbard, Karen Leonard, Tony Smith, Debbie Stever, Mary Cable, Lynn Hartz, Barbara Lester, Mrs. Guy Scott, Sharon Wright, Jim Conklin, Terry Whiting, Eddy Pavlov, Peder and Kendra Hanson, Heather Conklin, Donna Hartz, Bev Hartz, Randy Hartz,

President Smith opened the meeting at 7:00 p.m.

President Smith led the pledge of allegiance and Father Booth did the invocation. Trustee Nolan then thanked Father Booth for the invocation and wanted to thank Pastor Cathy, Pastor Joe and Father Nick for the invocation in the past.

President Smith then introduced Lynn Hartz of the Deposit Senior Center Site Selection Committee. Ms. Hartz wanted to discuss the inter-municipal needs assessment draft agreement sent to all three municipalities. The committee was formed a couple of years ago with the construction of the new fire hall. They have held different fund raisers and have over \$6,000. They are in the process of changing the name of the committee because of the needs assessment addressing the need for a multi purpose community center. Land has been donated for the new center adjacent to the track field. The Needs assessment identified a community center centrally located so the donated land may not be the answer. She offered the committee's help in the process of finding a site. She also stated that the committee would welcome a representative from the Village Board.

President Smith told Mrs. Hartz that our new grant writer Julie Sweet wants to get on board with the inter-municipal draft agreement from the needs assessment as well as our technical assistance grant, as they work hand in hand.

Motion 05-06#89

A motion was made by Trustee O'Connor seconded by Trustee Edwards to accept for filing the monthly Treasurer's Report. The motion carried unanimously.

Motion 05/06 #90

A motion was made by Trustee Axtell seconded by Trustee Edwards to waive the reading of the minutes of April 12, April 26 Special and April 26 Work Session. The motion carried unanimously.

Motion 05-06 #91

A motion was made by Trustee Axtell seconded by Trustee Edwards to approve the minutes of April 12, April 26 Special and April 26 Work Session . The motion carried unanimously.

Motion 05-06 #92

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

Motion 05-06 #93

A motion was made by Trustee Nolan seconded by Trustee Axtell to have a Public Hearing on Elm St. Parking on June 14, 2005 at 7:00 p.m. The motion carried unanimously.

President Smith discussed the Elm St. parking recommendation by the Planning board. The Planning Board has recommended that there be no parking on Elm St. at all from Pine to the dead end by the pump house. The school would like to do something for handicapped parking along the fence line by the football field but that would be a school decision.

OB STREETS

PWA Hubbard announced that the crew had completed 54 work orders including cleaning storm drains, patching and some paving, brush clean up, installing a new water service, mowing grass and flushing hydrants. He informed the board that 39 ton of blacktop had been put down on River, Sheldon, Monument, upper Front and Borden St. Mr. Hubbard would like to do more blacktopping this year with the remainder of the Elm St. money.

OB SEWER

PWA Hubbard informed the board that they had attended a pumps and controls class at the Oquaga Lake Sewer Plant on 5/10/05. He also informed the board that he would like to have the Village look into the same sort of pumps and controls for our sewer plant. They are computerized and simple to use.

PWA Hubbard stated there was a FEMA meeting coming up on May 12, 2005 that he would be attending. He stated there was 225 feet of fence to be replaced at the sewer plant that FEMA would reimburse the Village for. The fence people would be in this week to replace.

OB FIRE DEPT

There was a discussion on the Shumaker proposal for the assembly hall mold remediation. Several of the board members felt that the proposal had given them no straight answers to the mold removal. President Smith wanted the proposal taken to the oversight committee meeting for a decision.

OB POLICE

Trustee O'Connor stated that some time ago a resident of the Village had informed the board that they knew where four of the Village badges were. He asked that the chief contact that person and find these badges.

The board discussed the Oquaga Lake Sewer District Agreement. They decided to discuss the agreement further at the Oversight Committee meeting.

OB TRUSTEES

Trustee O'Connor asked what is meant by repairs in Code Enforcement. What repairs justify a building permit? President Smith stated he would need to talk to CEO Conklin.

President Smith informed the board that the Lumberjack committee had hired garbage removal and requested that the Village crew only be available if it rained.

NB STREETS

MOTION 05-06 #94

A motion was made by Trustee Edwards seconded by Trustee O'Connor to allow the Sherman Bible Chapel use of the Village lot on Front St. for a chicken BBQ on May 21, 2005. The motion carried unanimously.

PWA Hubbard informed the board that S&W had proposed a different approach to the creek crossing. S&W would like to bore a hole under the creek. The board asked for a cost comparison from the engineers.

MOTION 05-06 #95

A motion was made by Trustee Nolan seconded by Trustee Edwards to authorize the Mayor's signature on the Union Volunteer Ambulance Squad agreement. The Motion carried unanimously.

MOTION 05-06 #96

A motion was made by Trustee Axtell seconded by Trustee Edwards to accept the resignation of Sgt. Kurt Palmer. The motion carried unanimously.

Motion 05-06 #97

A motion was made by Trustee O'Connor seconded by Trustee Edwards to offer letters of support for the Visions Credit Union Depository. The motion carried unanimously.

Motion 05-06 #98

A motion was made by Trustee Axtell seconded by Trustee Edwards to appoint Kendra Hanson the ZBA effective immediately for a term of three years. The motion carried unanimously.

President Smith asked that the recommended Technical Assistance Grant Steering Committee members receive a letter before being appointed.

President Smith and the Trustees requested the Planning Board be more involved with the Senior Center Site Committee and Julie Sweet on the TA Grant on short and long term projects.

MOTION 05-06 #99

A motion was made by Trustee Edwards seconded by Trustee O'Connor to accept for filing the last monthly report of Susan Payne. The motion carried unanimously.

Motion 05-06 #100

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

BOND RESOLUTION

BOND RESOLUTION OF THE VILLAGE OF DEPOSIT, NEW YORK, ADOPTED DECEMBER 23, 2003 AND AMENDED MAY 10, 2005, AUTHORIZING THE CONSTRUCTION OF WASTEWATER SYSTEM IMPROVEMENTS REQUIRED TO BE MADE PURSUANT TO A CONSENT ORDER OF THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, INCLUDING THE PREPARATION OF PLANS AND SPECIFICATIONS RELATED THERETO; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,700,000; APPROPRIATING SAID AMOUNT THERFOR; AND AUTHORIZING THE ISSUANCE OF \$4,700,000 SERIAL BONDS OF SAID VILLAGE TO FINANCE SAID APPROPRIATION

Object or Purpose:

To Construct a Wastewater System Improvements pursuant to a Consent Order of the New York State Department of Environmental Conservation (Case No. R7-20030307-26), dated October 10, 2003, including preparation sof plans and specifications, design work and any other ancillary work relating thereto

Amount of Obligations to be issued: \$4,700,000

Period of Probable Usefulness: forty (40) years

Ayes: 4

Nays 0

Trustee Nolan	Aye
Trustee O'Connor	Aye
Trustee Edwards	Aye
Trustee Axtell	Aye

RESOLUTION

AUTHORIZATION TO SUBMIT GRANT APPLICATION UNDER THE AREA DEVELOPMENT PROGRAM OF THE APPALACHIN REGIONAL COMMISSION (ARC) FOR FISCAL YEAR 2006 FUNDING

WHEREAS; the Village of Deposit is eligible to seek funding under the Area Development Program of the Appalachian Regional Commission and,

WHEREAS; the New York State Department of State is the official agent of the State of New York responsible for cooperating with the Commission in administering the Appalachian Program and;

WHEREAS; Southern Tier East Regional Planning Development Board is the Local Development District that provides technical assistance to local projects sponsors and recommends projects for consideration by the Department of State, which prepares the Annual Investment Package for the Governors transmission to ARC;

THEREFORE; the Village of Deposit Board of Trustees authorizes the submission of a grant application for the Wastewater Treatment Plant Upgrade Project in the amount of \$150,000 for funding under FY 2006 ARC General Goal 3: Develop and Improve Appalachia's Infrastructure to Make the Region Economically Competitive.

FURTHER; the Village Board authorizes Mayor Willis Smith to sign all appropriate materials.

Ayes 4

Nays 0

Trustee Nolan	Aye
Trustee Edwards	Aye
Trustee O'Connor	Aye
Trustee Axtell	Aye

RESOLUTION

AUTHORIZATION TO SUBMIT APPLICATION TO THE UNITED STATES DEPARTMENT OF AGRICULTURE RURAL DEVELOPMENT FOR THE WASTEWATER TREATMENT PLANT UPGRADE

WHEREAS: The Village of Deposit is eligible to seek funding under the United States Department of Agriculture (USDA) Rural Development program for its Wastewater Treatment Plant Upgrade project;

THEREFORE; the Village of Deposit Board of Trustees authorizes the submission of an application for funding for the Wastewater Treatment Plant Upgrade Project as follows;

Rural Development Loan (4.5% - 38 years)	\$100,000
Rural Development Grant (HTS Assumed)	\$500,000

FURTHER; the Village Board authorizes Mayor Willis Smith to sign all appropriate application materials and authorizes the publication of a Notice of Intent to apply for Rural Development funding.

Ayes 4

Nays 0

Trustee Nolan Aye

Trustee Edwards Aye

Trustee O'Connor Aye

Trustee Axtell Aye

MOTION 05-06 #101

A motion was made by Trustee O'Connor seconded by Trustee Axtell to authorize the Mayor's signature on the abstract of audited vouchers as follows:

General Fund	\$60,352.19
General Fund Also	\$82,427.95
Water Fund	\$ 9,241.68
Water Fund Also	\$ 7,117.73
Sewer Fund	\$ 6,600.74
Sewer Fund Also	\$43,742.67
TA Fund	\$ 2,697.77

The motion carried unanimously.

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$29,000 OF SERIAL BONDS FOR THE PURCHASE OF A 2004 DODGE DURANGO FOR USE BY THE VILLAGE POLICE DEPARTMENT

WHEREAS; this board, by resolution, has authorized the purchase of a 2004 Dodge Durango for use by the Village Police Department (the "item")

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

Section 1. For the object or purpose of purchasing said items, and to provide funds to defray the cost thereof, Twenty-nine Thousand Dollars of the General Obligation Serial Bonds of the Village, shall be issued pursuant to the provisions of New York Local Finance Law.

Section 2. Twenty-nine Thousand Dollars is estimated as the maximum cost of said item.

Section 3. The plan or the financing of the purchase of said Item consists of the issuance of General Obligation Serial Bonds of the Village in the principal sum of Twenty-nine Thousand Dollars, to be issued pursuant to Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid object or purpose is 3 years, pursuant to subdivision 77 of paragraph a section 11.00 of Local Finance Law. It is further determined that the maximum maturity of the Serial Bonds herein authorized will not exceed 3 years.

Section 5. The faith and credit of said Village are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same, respectfully, become due and payable. An annual appropriation shall be made each year sufficient to pay principal and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Village a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. Subject to the provisions of Local Finance Law, the power to authorize the issuance of and to sell Bond Anticipation of the issuance and sale of the Serial Bonds herein authorized, including renewals of such notes is hereby delegated to the President of the Village Board of Trustees, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner as may be prescribed by said President of the Village Board of Trustees, consistent with the provisions of Local Finance Law.

EMS Captain Randy Hartz proposed two ambulance quotes as follows: One at \$119,412, w/\$10,000 trade in and \$2,000 discount for a total of \$109,412; two at 119,412 ea. w/\$10,000 trade in on one and \$11,000 trade in on the second and \$3,000 discount for a total of \$214,000. If two are purchased at \$214,000 with the reserve of \$148,000 being used there would be a balance of \$78,000 to be budgeted over five years. President Smith asked Captain Hartz to take the quotes to the next oversight committee meeting.

President Smith mentioned helping with EMS burnout. Captain Hartz replied that there always is burnout. The squad does there job because they enjoy helping. Trustee O'Connor suggested a 2% retirement incentive to members with a 25% activity record.

GUESTS:

Bertha Jenson wondered about the renovation of the front office. President Smith said that an architect had been hired to design renovations but no work would be done without a grant. Ms. Jenson also mentioned why there were no bids for the police car. Trustee Nolan and President Smith explained that they had found one that met the needs of the department therefore bids weren't needed.

Motion 05-06 #102

A motion was made by Trustee Nolan seconded by Trustee O'Connor to enter into and out of executive session. The motion carried unanimously.

MOTION 05-06 #103

A motion was made by Trustee Nolan seconded by Trustee O'Connor to hire Louis Demarco and Marie Finnelli as part time patrolman effective immediately at \$9.00 an hour keeping within the budget. The motion carried unanimously.

MOTION 05-06 #104

A motion was made by Trustee O'Connor seconded by Trustee Nolan to accept the application of Jordon Mauro to the EMS. The motion carried unanimously.

MOTION 05-06 #105

A motion was made by Trustee O'Connor seconded by Trustee Axtell to accept the application of Jay Vandermark to the Fire Dept. The motion carried unanimously.

The Meeting was adjourned at 10:00 p.m.

Respectfully Submitted

VILLAGE BOARD OF TRUSTEES EXECUTIVE SESSION ON MAY 10, 2005 AT
7:00 P.M. AT MEADOW PARK COMMUNITY CENTER

PRESENT: President Smith, Trustees Edwards, Nolan, Axtell and O'Connor, C/T
Decker and Karen Leonard

RESOLUTION

In the Matter of the Application of the Village Board of Deposit to Commence an
Eminent Domain Proceeding Against the Property Located at 125 Second St.
and Known as Tax Map No. 187.19-2-12 in the Village of Deposit, County of
Broome for an Environmental Quality Review Act (SEQR)

- 1.) The Village of Deposit filed an Environmental Assessment Form (EAF)
with this board on or about May 10, 2005 regarding an application to
commence an eminent domain proceedings against the property located
at 125 Second St. known as Tax Map No. 187.19-2-12 in the Village of
Deposit County of Broome. A copy of the EAF is attached and made a
part hereof.
- 2.) Pursuant to 6 NYCRR section 617 of said regulation, it is hereby
determined that the action proposed in said application constitutes an
Unlisted action and will not have a significant effect upon the environment
and may be processed by other applicable governmental agencies without
further regard.

May 10, 2005

Aye 4

Nays 0

Trustee Nolan	Aye
Trustee O'Connor	Aye
Trustee Axtell	Aye
Trustee Edwards	Aye