

WORK SESSION OF THE VILLAGE BOARD OF TRUSTEES HELD ON AUGUST 27,  
2013 AT 7; 00 P.M. AT THE DEPOSIT THEATER

PRESENT: Mayor O'Connor, Trustees Mott, Strauss and O'Connell, CT Decker, DCT Budine, Debbie Stever, Paul Lantz, Mr. & Mrs. Wilber Dennis, Noel Hauser, Mr. & Mrs. Slathe, Mrs. Tow, Sharon Wright, 1<sup>st</sup> Assist Captain Couse, Police Chief Cantwell, Lynn O'Connor, Wendy Hartman and Ed Burell from Adams Cable Co.

ABSENT: DPW Brad Hubbard, Trustee Pete Hathaway, Fire Chief Ryneason

Mayor O'Connor opened the meeting at 7:00 p.m. with a Public Hearing on the Adams Cable Franchise.

PUBLIC HEARING  
Adams Cable Franchise  
7:00 p.m.

Mayor O'Connor opened the Public hearing at 7:00 p.m. and turned the meeting over to the Village attorney Beth Westfall. Ms. Westfall stated that the Village must have a franchise agreement with Adams Cable in place. Tonight's Public Hearing is to determine if the Village would impose a franchise fee on the cable company. Wendy Hartman of Adams Cable explained that any fee imposed would be passed on directly to the customer and collected through the cable billing process. Ms. Hartman stated that there were 445 cable customers in the Village 382 of which are basic and expanded basic customers. This would average approximately .67 cents per basic cable customer and \$1.79 per basic and expanded basic customer per month with approximate revenue to the Village of \$8,700. Ms. Hartman further explained that they serve 76 municipalities 20 of which charge a franchise fee. Mayor O'Connor asked if there were any public comments:

Sharon Wright was opposed to the fee as it affects too many people on fixed income in the Village. She suggested collecting on those that have HBO package. Noel Hauser is against the fee – he suggested the Village raise everyone's taxes by \$1.00. This would raise the revenue for the Village across the tax base, not on only cable customers. Mrs. Tow stated she didn't understand the reason for the fee at all .....Mayor O'Connor informed the public one very important reason for the increased revenue would be to cut diseased or dying trees throughout the Village. The Village has a tree budget and can only cut so many trees and this extra revenue would be earmarked for that. Mr. Hauser asked if the Village received monies from NYSEG and TDS. CT Decker stated yes we received a gross receipts tax from them and this revenue was also earmarked for tree removal. Wilber Dennis felt that the tax discourages businesses in Deposit, we should all be lucky Adams Cable is in the community. Paul Lantz asked Ms. Hartman why Deposit wasn't allowed to post local community advertisements on the cable network. Ms. Hartman said they were most certainly able to do that.....she stated to please try again tomorrow and let her know if they could not. Mr. Slathe asked about the tree removal schedule in the Village – he stated that the trees once down would not need further funding and felt the allocation of the revenue was in question. Mayor O'Connor explained that trees grow and not all the trees are dead now but could need to be addressed in future years. O'Connor stated we would need to have Hubbard do a survey on the trees that need cutting in the Village. Mayor O'Connor closed the public portion of the Public Hearing and then asked the Trustees for their comments. Trustee O'Connell said he would like to study the fee more. Trustee Strauss is against the fee but he would take another look at it. Trustee Mott wanted to know what basic and basic expanded cable cost the customer. Ms. Hartman said \$18.99 and \$32.00 a month. Trustee Mott then commented that up to \$1.79 per month was a very small percentage of the overall bill. Mayor O'Connor closed the PH at 7:30 p.m.

MOTION#181/13-14

A motion was made by Trustee O'Connell seconded by Trustee Mott to accept the monthly CEO report for filing as submitted. The motion carried unanimously. CEO Conklin stated that he wanted the board to know that several homes in the Village had major improvements; 35 Wheeler St has a complete renovation; 97 Front has a new roof; 37 Dean has been re-inspected and all repairs have been made.

MOTION#182/13-14

A motion was made by Trustee Mott seconded by Trustee O'Connell to accept the EMS report for filing. The motion carried unanimously.

MOTION#183/13-14

A motion was made by Trustee Strauss seconded by Trustee O'Connell to approve the ZBA minutes from August 14, 2013. The motion carried unanimously.

OLD BUSINESS

STREETS

Mayor O'Connor informed the board that the paving of Wheeler St. from the water main project and the annual village paving project won't begin until September 6<sup>th</sup>.

WATER

No old business

SEWER

No old business

BUILDINGS

No old business

FIRE DEPARTMENT

No old business

EMS

No old business

POLICE DEPARTMENT

No old business

PRESIDENT

No old business

TRUSTEES

No old business

FINANCE

No old business

NEW BUSINESS

STREETS

No new business

WATER

No new business

SEWER

No new business

BUILDINGS

No new business

FIRE DEPARTMENT

No new business

EMS

Captain Couse informed the board that they will be offering flu shots on October 10<sup>th</sup> at 6 p.m. at the fire hall to the DPW and PD.

POLICE DEPARTMENT

MOTION#184/13-14

A motion was made by Trustee O'Connell seconded by Trustee Mott to accept for filing the resignation of Office Brian Shaver. The motion carried unanimously.

PRESIDENT

MOTION#185/13-14

A motion was made by Trustee O'Connell seconded by Trustee Strauss to authorize the Homecoming Parade on October 5, 2013 from 9 to 11 a.m. contingent on acknowledgement from the Fire Chief that Fire Police will be available with street corner coordination. The motion carried unanimously.

Mayor O'Connor asked the Village attorney about the Dog Warden responsibilities within the Village. The NYS Ag and Market law reads that the dog warden employed by both Towns has an obligation to respond to all dog complaints within the Village limits to determine the nature of the complaint. If the complaint is deemed a village ordinance such as the leash law or barking dog he MAY or may not continue his dog warden duties. Anything beyond the local village ordinances he is required to handle. Any and all tickets/and or summons to court must be handled in the Village court as long as there is a village court. This is noted in CPL 100.55(4). The disposition of the fines from a village ordinance remains in the Village – the disposition of fines collected by and AG and Markets law needs to be determined. Attorney Westfall needs to find this out.

TRUSTEES

No new business

FINANCE

MOTION#186/13-14

A motion was made by Trustee Strauss seconded by Trustee O'Connell to authorize the Mayor's signature on the Abstract of Also Audited Vouchers as follows:

General Fund:	\$ 24,640.69
Water fund:	\$ 18,581.97
Sewer Fund:	\$111,906.54

The motion carried unanimously.

MOTION#187/13-14

A motion was made by Trustee Mott seconded by Trustee O'Connell to enter into executive session to discuss possible pending litigation, specific personnel and property transfers. The motion carried unanimously.

MOTION#188/13-14

A motion was made by Trustee Mott seconded by Trustee Strauss to come out of executive session. The motion carried unanimously.

MOTION#189/13-14

A motion was made by Trustee O'Connell seconded by Trustee Strauss to approve the EMS applications of Erin Rynearson and Tammy Wood. The motion carried unanimously.

MOTION#190/13-14

A motion was made by Trustee Mott seconded by Trustee Strauss to adjourn the meeting at 9:00 p.m.

Respectfully Submitted: