

REGULAR SESSION OF THE VILLAGE BOARD OF TRUSTEES HELD ON  
SEPTEMBER 13, 2005 AT 7:00 P.M. AT MEADOWPARK COMMUNITY  
CENTER

PRESENT: President Smith, Trustees Nolan, O'Connor, Axtell-Whiting, Dreher, CT Decker, PWA Hubbard, Karen Leonard, Debbie Stever, TOS Supervisor Decker, Jim Conklin, Ray O'Dell, DCS Superintendent Kraig Pritts, Tom Axtell, Dale VanPelt, Terry Whiting, Fire Chief Conklin, Randy Cornwell, Nick Barone, Father Nick, Roger Brainard, PD Chief Roberts, Jerry Rambus, Deborah and Lance Ditewig, Sharon Wright, Massink Bodesco, Alan Bosket, JD Knowles

President Smith opened them meeting at 7:00 p.m. with the Pledge of Allegiance followed by the invocation offered by Father Nick

MOTION #182/05-06

A motion was made by Trustee O'Connor seconded by Trustee Axtell-Whiting to accept for filing the monthly Code Enforcement Report. The motion carried unanimously.

MOTION#183/05-06

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

MOTION #184/05-06

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

MOTION #185/05-06

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

MOTION #186/05-06

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

MOTION #187/05-06

A motion was made by Trustee Nolan seconded by Trustee O'Connor to waive the reading of the minutes from Aug. 9, 15, 23 and Sept. 9 2005. The motion carried.

MOTION #189/05-06

A motion was made by Trustee Nolan seconded by Trustee Axtell to accept for filing the minutes from Aug 9, 15, 23 and Sept. 9, 2005. The motion carried unanimously.

Trustee O'Connor asked if the \$2.00 fee per tire collected was understood by all. President Smith said he wasn't sure if it was mandatory and Trustee Nolan stated it wasn't clear to him. C/T Decker will copy the information for the board.

President Smith introduced Mr. Walter Rich owner of the NY Central Susquehanna RR.

Mr. Rich addressed the board with a proposal to close off the Borden St. RR crossing by the little league field/old away building and raising the height of the Mill St. RR Bridge from 9 to 14 feet. Trustee O'Connor stated that by no means did the village want the Borden St. RR crossing closed. He continued that there are safety reasons, and flooding potential for the residents that live on Borden and Dublin Sts. with the only alternative through a private road. DCS Superintendent Kraig Pritts stated he was concerned for the safety of the children riding buses having to cross the tracks and was not in favor of the proposal. Fire Chief Conklin stated that from Dublin St. to the Mill St. entrance was all private property owned by the Fire Dept. Inc. and he was not in favor of the closing of

the crossing either. There had been flooding in that area before and would leave the residents with no way out of the Borden St. Dublin St. area. Lance and Debbie Ditewig stated they were concerned of the safety of the Mill St. RR Bridge and were in favor of upgrade/repairs to that but not to the closing of the crossing. The Ditewigs also had concern with the trains idling and the fumes from the trains now and were not in favor of the trains sitting at the closed crossing making the situation worse. Mr. Knox stated he had made an offer on a property that trucks would have to sue the Borden Street RR crossing and if they were closing it he would not buy. Mr. Rich stated that he wanted to get public input before going forward with any plans and if the Village was not interested than the crossing would remain open. He also stated that an inspection of the Mill St. RR Bridge would take place this fall.

## OLD BUSINESS

### Streets

PWA Hubbard stated that the crew had completed 66 work orders and 41 at the Oquaga Lake WWTP in the past month. The completed freedom pond and all were anxious to see if it works. Water shut offs to the Oak St. cabins had been completed and the residents now had 60 days to run line to the shut offs. PWA Hubbard wanted to commend his crew on the good job they have all done.

### Water:

PWA Hubbard stated that all the well houses were up and running properly.

### Sewer:

PWA Hubbard informed the board that there needed to be some discussion on the sewer line from Norbord to our system. This line needed to be worked into the overall WWTP Upgrade in the near future.

## NEW BUSINESS:

### Streets;

PWA Hubbard informed the board that a resident at 21 Center St. would like the tree removed in front of their house. Hubbard took Cooks tree service to look at the tree and it was determined that the tree was fine – it did not need to be cut. Hubbard asked for and was granted permission to write to the homeowner and state the Village was not going to cut the tree.

### MOTION #189/05-06

A motion was made by Trustee O'Connor seconded by Trustee Nolan to hire Cooks Tree Service to remove a tree at 36 Wheeler St at a cost of \$640.00 from A5110.4. The motion carried unanimously.

PWA Hubbard informed the board that they were caught up with the sidewalk list and would like to have the board consider doing away with the sidewalk program and putting that money into the tree line item in the 06-07 budgets.

Father Nick asked the DPW if the street corners of Church and Front could be made handicapped assessable.

### Fire Dept.

The quotes for radios for the EMS and the Fire Dept. were tabled until the liaisons had a chance to talk to the Depts.

### Sewer:



New York State Environmental Facilities Corporation  
625 Broadway Albany, New York 12207-2997  
(800) 882-9721 within New York State  
(518) 402-6971 Fax (518) 402-6972

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## RESOLUTION AUTHORIZING CWSRF APPLICATION AND AGREEMENT FOR PROJECT FINANCING

**NEW YORK CLEAN WATER STATE REVOLVING FUND**

Resolution authorizing the execution and filing of an application and execution and delivery of a agreement setting forth the terms of the Project financing and other documents necessary for CWSRF assistance.

**WHEREAS** Village of Deposit

, \_\_\_\_\_  
(Legal Name of Applicant)

herein called the "Applicant", after thorough consideration of the various aspects of the problems and study of available data, has hereby determined that the project generally described as:

WWTP Upgrade  
\_\_\_\_\_  
(Description of Project)

and identified as CWSRF Project C - - - , C - - -  
Number(s)

herein called the "Project", is desirable and in the public interest, and to that end it is necessary that action preliminary to the construction of said Project be taken immediately; and

**WHEREAS**, the United States, pursuant to the Federal Water Quality Act of 1987 (as such may be amended from time to time, the "Water Quality Act"), requires each State to establish a water pollution control revolving fund to be administered by an instrumentality of the state before the state may receive capitalization grants under the Water Quality Act; and

**WHEREAS**, the State of New York has, pursuant to the State Water Pollution Control Revolving Fund Act, Chapter 565 of the Laws of New York 1989, as amended (the "CWSRF Act") established in the custody of the New York State Environmental Facilities Corporation (the "Corporation") a water pollution control revolving fund (the "Fund") to be used for purposes of the Water Quality Act; and

**WHEREAS**, the Corporation has been created, reconstituted and continued pursuant to the New York State Environmental Facilities Corporation Act, as amended, being Chapter 744 of the Laws of 1970, as amended, and constituting Title 12 of Article 5 of the Public Authorities Law and Chapter 43-A of the Consolidated Laws of the State of New York, and constitutes a public benefit corporation under the laws of the State of New York, being a body corporate and politic with full and lawful power and authority to provide financial assistance from the Fund; and

**WHEREAS**, the Corporation has the responsibility to administer the Fund and to provide financial assistance from the Fund to municipalities for eligible projects, as provided in the CWSRF Act; and

**WHEREAS**, the CWSRF Act authorizes the establishment of a program for financial assistance for planning, design and construction of eligible projects;

**NOW, THEREFORE, BE IT RESOLVED BY**

Village Board of Trustees

as follows;

\_\_\_\_\_

(Governing Body of Applicant)

1. The filing of an application for CWSRF assistance in the form required by the Corporation in conformity with the CWSRF Act is hereby authorized, including all understandings and assurances contained in said application.
2. The following person is directed and authorized as the official representative of the Applicant to execute and deliver an application for CWSRF assistance, to execute and deliver the Project financing agreement and any other documents necessary to receive financial assistance from the Fund for the Project, to act in connection with the Project and to provide such additional information as may be required and to make such agreements on behalf of the Applicant as may be required:

Willis Smith

(print name)

Mayor, Village of Deposit

(print title)

3. The official designated above is authorized to make application for financial assistance under the CWSRF Program for either short-term or long-term financing or both.
4. One (1) certified copy of this Resolution shall be prepared and sent to the **New York State Environmental Facilities Corporation, 625 Broadway, Albany, New York 12207-2997.**
5. This Resolution shall take effect immediately.

**CERTIFICATE OF RECORDING OFFICER**

The attached Resolution is a true and correct copy of Resolution No. \_\_\_\_\_

authorizing the execution and filing of an application and the execution and delivery of a Project financing agreement and other documents necessary for CWSRF assistance, as regularly adopted at a legally convened meeting **Village of Deposit** of the \_\_\_\_\_

(Name of Governing Body of the Applicant)

duly held on 13th day of Sept. 2005 ; and further that such Resolution has the \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_ has

(month) (year)

been fully recorded in Minutes \_\_\_\_\_ in my office. In witness the \_\_\_\_\_ whereof, I

(Title of Record Book)

have hereunto set my hand 13th day of Sept , 2005 . at this \_\_\_\_\_, \_\_\_\_\_

(month) (year)

If the Applicant has an Official Seal, impress here.

AYES:

David Nolan Trustee	5
John O'Connor Trustee	
Lisa Dreher Trustee	
Stacey Axtell-Whiting	
Willis Smith	

NAYS: 0

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(Signature of Recording Officer)

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(Title of Recording Officer)

MOTION #190/05-06

A motion was made by Trustee O'Connor seconded by Trustee Axtell-Whiting to buy equipment with the \$2000 grant from Clifford Couch for the Pool Program.

MOTION #191/05-06

A motion was made by Trustee Nolan seconded by Trustee O'Connor to approve the budget adjustments. The motion carried unanimously.

C/T Decker asked if the upstairs board room in the Village hall could be used for Wednesday night yoga classes. The Board chose not to allow usage of the board room at this time due to the condition of the fire escape.

MOTION #192/05-06

A motion was made by Trustee O'Connor seconded by Trustee Nolan to authorize the payment of the abstracts as follows:

SEWER Fund:	\$21,360.06
GENERAL Fund Also:	\$35,531.95
T&A:	\$ 1,769.38
SEWER Fund Also:	\$ 9,060.39
Water Fund Also:	\$30,241.13
Fire Hall Abstract:	\$12,262.82
Elm St. Abstract:	\$ 100.92
General Fund:	\$24,472.72
Water Fund:	\$43,401.50
Consent Order:	\$93,396.63

GUESTS:

Lance Ditewig addressed the board with his concerns for the saw mill that will possibly be situated at the old Agway property. He encouraged the board members to attend the Zoning Meeting of the TOS on Sept. 20<sup>th</sup> to represent the residents within the Village limits that will be affected.

A six month budget meeting was set for September 29<sup>th</sup>, 2005, 6:00 p.m.

MOTION #193/05-06

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 #194/05-06

A motion was made by Trustee O'Connor seconded by Trustee Nolan to appoint Karen Leonard as Deputy Clerk Treasurer at the \$5,000 a year stipend. The motion carried unanimously.

MOTION#195/05-06

A motion was made by Trustee Axtell-Whiting seconded by Trustee Nolan to approve the Fire Dept. application of Jay Vandermark from Jr. to Sr. firefighter. The motion carried unanimously.

MOTION #196/05-06

A motion was made by Trustee O'Connor seconded by Trustee Axtell-Whiting to approve the quote of Valentine Const. for pool repairs in the amount of \$4,335.00 minus \$600.00 to provide the machinery split 5 ways (TOS, TOD, Pool Association, Village and the School) for a cost of \$740.00. The motion carried unanimously.

The meeting was adjourned at 9:45 p.m

