

REGULAR SESSION OF THE VILLAGE BOARD OF TRUSTEES ON
OCTOBER 12, 2004 AT MEADOW PARK COMMUNITY CENTER AT 7:00 P.M.

PRESENT: President Hayes, Trustees Nolan, O'Connor, Edwards and Smith, CT Hungerford, DCT Decker, PWA Hubbard, Police Chief Roberts, Jim Conklin, Ray O'Dell, EDD Susan Payne, Debbie Stever, Stacey Axtell, Terry Whiting, Father Booth of the Catholic Church, Sharon Wright, Wilber Dennis, Officer Kurt Palmer

6:00 P.M. Public Hearing on Governors Office of Small Cities Technical Assistance Grant - see attached

7:00 P.M. Public Hearing on USDA Rural Development for Wastewater Treatment Plant – see attached

7:10 P.M. The meeting opened with an Invocation with Father Booth. President Hayes then led the Pledge of Allegiance and called the Regular Session to order.

MOTION #237/04-05

A motion was made by Trustee Nolan, seconded by Trustee Smith to accept for filing the September Economic Development Reports from Susan Payne. The motion carried unanimously.

MOTION #238/04-05

A motion was made by Trustee Nolan seconded by Trustee O'Connor to adopt the following Resolution: The motion carried unanimously.

APPROVAL OF SUBMISSION OF GRANT APPLICATION 2004 ROUND OF
THE NYS GOVERNOR'S OFFICE FOR SMALL CITIES COMMUNITY
DEVELOPMENT BLOCK GRANT TECHNICAL ASSISTANCE PROGRAM

WHEREAS, the New York State Governor's Office for Small Cities has issued a notice of funding availability and is receiving proposals for the Community Development Block Grant Technical Assistance Program, and

WHEREAS, the Village of Deposit conducted two public hearings to inform citizens about the funding opportunity and determined that the development of a downtown revitalization plan is a priority in the community, and

WHEREAS, the Village of Deposit does not have the financial resources to develop a strategic plan for downtown revitalization;

THEREFORE, the Village of Deposit Board of Trustees authorizes the submission of a grant application in the amount of \$25,000 to the NYS Small Cities Community Block Grant Technical Assistance Program for development of a strategic plan for downtown revitalization.

MOTION #239/04-05

A motion was made by Trustee Nolan seconded by Trustee O'Connor to adopt the following resolution for the USDA Rural Development Financing for the WWTP as follows:

RESOLUTION: USDA Rural Development Financing of the Wastewater Treatment Plant Upgrade Project. Authorization to Prepare and Submit Application for Funding:

WHEREAS, the Village of Deposit submitted a request for Preliminary Eligibility Determination concerning grant and loan assistance from the US Department of Agriculture, Rural Development for the Wastewater Treatment Plant Upgrade Project; and,

WHEREAS, the US Department of Agriculture, Rural Development has reviewed the request and estimates the project to be eligible for USDA Rural Development

financing to include A Rural Development Loan in the amount of \$100,000 at 4.5% for 38 years and a Rural Development Grant in the amount of \$500,000; and

WHEREAS, this is presented by USDA, Rural Development as an estimated funding proposal and not a commitment of funding; and

WHEREAS, a Public Notice of Intent to file and Application was published and a public input and discussion of the application.

THEREFORE; the Village Board authorizes the preparation and submission of the formal application on the amount of \$500,000.

MOTION #240/04-05

A motion was made by Trustee Smith seconded by Trustee Nolan awarding the engineering proposal of Stearns and Wheler Engineering Firm for the environmental study for the USDA grant in the amount of \$11,900 with the amendment changing the contract length of time from 90 (ninety) to 60 (sixty) days.

MOTION #241/04-05

A motion was made by Trustee Smith seconded by Trustee Edwards to accept for filing the monthly reports from the Fire Dept, EMS Squad, and Treasurer. The motion carried unanimously.

MOTION #242/04-05

A motion was made by Trustee Smith seconded by Trustee O'Connor to waive the reading of the minutes from 9/14, 9/28, 9/30. The motion carried unanimously.

MOTION #243/04-05

A motion was made by Trustee Smith seconded by Trustee Edwards to approve the minutes from 9/14, 9/28, 9/30. The motion carried unanimously.

Ray O'Dell asked the Board who was responsible for the monument on the corner of Monument and Second St. The grounds needed some upkeep. President Hayes stated he would find out who was responsible. Mr. O'Dell also stated that it would be very nice to have a police escort at funerals.

MOTION #244/05-06

A motion was made by Trustee Smith seconded by Trustee Edwards to approve the change order by G. DeVincentis Const. to repair the manhole cover on the corner of Elm and Monument St. not to exceed \$10,000. The motion carried unanimously.

MOTION #245/04-05

A motion was made by Trustee Nolan, seconded by Trustee Edwards to approve the acid cleaning of well house #4 by Moody Pump at a cost of \$15,000 pending approval from Shumaker Engineers on the 200 gallon a minute pump. The motion carried unanimously.

PWA Hubbard submitted to the Board an estimate on the insulation and metal sheeting for the walls for the repair of the PD garage of \$5,200 from TJC Contracting. After much discussion the board asked PWA Hubbard to bring back to the next meeting an estimate for the labor involved only.

MOTION #246/04-05

A motion was made by Trustee Smith seconded by Trustee Edwards to purchase radios for fire truck 22-7 (Ladder truck) in the amount of \$3,881.88 from Tri-County Communications of Binghamton. The motion carried unanimously.

President Hayes informed the Board that the Fire Inspection Dinner was on Saturday, October 16, 2004 at 6 p.m.

Chief Roberts stated that he was very pleased with the repairs that were done on the PD Jeep by Proffitt's garage at a cost of \$1231.00.

Chief Roberts also informed the board that his men would be qualifying with their weapons at McCabe Hollow Sportsman Club on October 16, 2004. There was some discussion of putting counters back in the PD as was when it was the Town of Sanford office. The Chief also discussed the use of ICV – In car video – system.

MOTION #247/04-05

A motion was made by Trustee Nolan seconded by Trustee Edwards to purchase on state bid the ICV System in the amount of \$3,665.00 from Decatur Electronics. This purchase is part of the Senator Libous equipment grant of \$25,000. The system would be mounted in the Crown Victoria. The motion carried unanimously.

MOTION #248/04-05

A motion was made by Trustee O'Connor seconded by Trustee Edwards to allow the testing of one Taser Unit for 60 days free of charge. The company will train the chief and he will then train his officers. The motion carried unanimously.

Chief Roberts informed the board that Officer Demeo has graduated from Otsego County Police Academy and is attending advanced radar school at Otsego for four days.

MOTION #249/04-05

A motion was made by Trustee Smith and seconded by Trustee Edwards to approve his attendance at radar training. The motion carried unanimously.

Officer Kurt Palmer stated that he has been on duty for three full weeks and is concerned with the actions of the youth on the streets late in the evening after he is off duty. He is asking the board to consider some help in the PD.

MOTION #250/04-05

A motion was made by Trustee Nolan seconded by Trustee Smith to approve for filing the Police Report. The motion carried unanimously.

President Hayes informed the board that Nextel has extended their lease with the Village for one more year in the amount of \$1,000.

President Hayes also informed the board that next year Lumberjack Festival will be on July 14th thru July 17th. The annual request for the Village contribution of \$500 has been submitted and will go in the budget file.

Trustee O'Connor brought to the board's attention the concern Mr. Wilber Dennis has for the separation of the street from the curbing in front of his house. PWA Hubbard stated it was a common problem and not much will be done this year. Allen St. is another street that needs to be addressed.

President Hayes stated PWA Hubbard is working on the assembly hall portion of the Fire hall and Attorney Schaewe is working on the close out of the station portion.

MOTION #251/04-05

A motion was made by Trustee Smith seconded by Trustee Edwards to authorize the emergency payment made to Rotella Corp and Dufeck Corp. in the amount of \$2,900. The motion carried unanimously.

MOTION #252/04-05

A motion was made by Trustee Nolan seconded by Trustee O'Connor to authorize President Hayes' signature on the abstract of audited vouchers. The motion carried unanimously. The abstracts are as follows:

General Fund	\$23,885.61
Water Fund	\$10,617.30
Sewer Fund	\$ 4,350.12
Elm St. Project	\$37,215.30
Fire Hall Project	\$25,649.72
Water Also	\$ 8,496.79
Sewer Also	\$ 9,108.08
General Fund Also	\$40,804.70

C/T Hungerford reminded the Board members that they had received a letter from the Children's Center requesting the removal of taxes and relevy charges that they received for 2004. There was a mowing charge of \$25, 2004 taxes in the amount of \$406.50, return sewer for \$191.48, and buildings and snow removal in the amount of \$861.55. President Hayes informed the board that normally before a sale, attorneys' contact the Village for tax search to receive totals of what is owed. After much discussion the board decided that the new owners are responsible for the charges. The board directed C/T Hungerford to write a letter stating such. President Hayes also asked the C/T to inform the Children's Center that in order to remove debt charges on the parcel, they need to make it all one parcel instead of two separate ones.

MOTION #253/04-05

A motion was made by Trustee O'Connor seconded by Trustee Nolan to deny the request of the Children's Center. Trustee Smith opposed, stating that he believes the Public Works charges should be removed.

MOTION #254/04-05

A motion was made by Trustee Nolan seconded by Trustee O'Connor to set a Public Hearing on November 9, 2004 at 7:15 p.m. for the Amendment of Chapter 130 "Water" to 130-21 "Charges for Services" after the Clerks office determines if there is already a charge in the code book. The motion carried unanimously.

MOTION #255/04-05

A motion was made by Trustee Nolan seconded by Trustee O'Connor to declare the proposed amendment of Chapter 130; "Water" to 130-21 entitled "Charges for Services" A Type II SEQR and does not require an environmental impact statement. The motion carried unanimously.

MOTION #256/04-05

A motion was made by Trustee Nolan seconded by Trustee Edwards to set a Public Hearing on November 9, 2004 at 7:30 p.m. for creating Appendix IV "Listing of Fines" to the Village Code Book. The motion carried unanimously.

MOTION #257/04-05

A motion was made by Trustee Nolan seconded by Trustee Edwards to declare creating Appendix IV "Listing of Fines" to the Village Code a Type II SEQR and does not require an environmental impact statement. The motion carried unanimously.

President Hayes then appointed Trustee Smith and Trustee Nolan to the WWTP Steering Committee meeting to go over the process to date on the consent order.

MOTION #258/04-05

A motion was made by Trustee Nolan seconded by Trustee Edwards to change the official date of Halloween from Sunday October 31st to Saturday October 30, 2004. The motion carried unanimously.

C/T Hungerford informed the board that the six-month budget meeting would be on October 14, 2004 at 6:00 p.m.

MOTION #259/04-05

A motion was made by Trustee O'Connor seconded by Trustee Nolan to go into and out of Executive Session to discuss pending litigation and specific personnel. The motion carried unanimously.

MOTION #260/04-05

A motion was made by Trustee O'Connor seconded by Trustee Edwards to hire Dominick Commesso as a PT Patrolman at no more than 19.5 hours at an hourly wage of \$10.00 effective immediately. The motion carried unanimously.

MOTION #261/04-05

A motion was made to appoint Deputy Clerk Treasurer Decker as Acting Clerk Treasurer until February 28, 2005 at a salary of \$37,500 to be increased to \$40,000 at the Organizational Meeting in March 2005. The motion carried unanimously.

MOTION #262/04-05

A motion was made by Trustee Nolan seconded by Trustee O'Connor to hire a full time person as Clerk/Typist/Receptionist for the Clerks Office at an hourly wage of \$8.00. The motion carried unanimously.

MOTION#263/04-05

A motion was made by Trustee Nolan seconded by Trustee O'Connor to increase Clerk Typist Karen Leonard's wage by a stipend of \$416.67 per month because of increased responsibilities. The motion carried unanimously.

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

Respectfully Submitted:

Cheryl Decker
Deputy Clerk Treasurer