

THE REGULAR WORK SESSION OF THE VILLAGE OF DEPOSIT BOARD OF TRUSTEES AT THE DEPOSIT COMMUNITY THEATRE WAS HELD ON OCTOBER 24, 2006.

Present: Mayor Smith, Trustees Nolan, O'Connor and Axtell-Whiting, CT Decker, Deputy Clerk Treasurer Karen Leonard, Attorney Beth Westfall, Community Development Director Amy Kenyon, CEO Barry Conklin, Sharon Wright, Dave Stanton, Lucy Lantz, Ray O'Dell, Dan Feehan, Joe Valentine, Joey Cammer, Nick Barone, June Nolan, Tony & Joyce Smith, Claudio Cabbibo, Terry Whiting, Donna Hartz and Debbie Stever, PWA Brad Hubbard-Absent, Trustee Weiss-Absent

Mayor Smith opened the meeting at 6:00 PM, and immediately gave the floor to Beth Westfall. Ms. Westfall addressed the question of Dissolution of the Village.

See attached.

The public asked questions of Ms. Westfall regarding possible savings to the tax payers. Ms. Westfall stated that there would be no way of knowing until a study had been done, but a savings was not guaranteed. Ms. Westfall stated there would be an initial out lay of monies, to hire a consulting firm, and although there is grant money available, this was a highly competitive process. Ms. Kenyon interjected that the application could not be made until next year. Ms. Westfall stressed to the audience and board that this should all be done slowly and methodically to find out what the end result would be. Ms. Westfall stated that the committee to study this should be picked with extreme care to ensure that there would be members that understood municipal finances, laws etc. Much discussion ensued.

Mayor Smith opened the work session at 7:00.

MOTION #532/06-07

Motion was made by Trustee O'Connor and seconded by Trustee Axtell-Whiting to accept the CEO's report. Motion passed unanimously.

OLD BUSINESS

STREETS

Paving of Ford Hill and upper Pine Street Extension will begin tomorrow; this is being paid for by FEMA.

WATER

Mayor Smith read a letter to the board from Claudio Cabbibo, owner of Riverside Trailer Park. The letter requested the board to reduce the amount of sewer and water debt. The board decided that much more information would be needed before they could take this under consideration. Mr. Cabbibo also asked the board about cleaning up Butler Brook. Mr. Cabbibo feels that it is a health hazard.

SEWER

Mayor Smith stated that there was a meeting on Friday with SEMO, and it was determined that there should be a meeting with our engineers and FEMA engineers, to see if we could come to terms, in regards to the WWTP.

BUILDINGS

Mayor Smith stated that the footers were in for the new fire escape work at the Village Hall.

FD

Mayor Smith stated that Empty Nest Builders are almost done with the sheetrock installation. The flooring will be installed on Thursday.

NEW BUSINESS

STREETS

WATER

SEWER

BUILDINGS

FD

MOTION #533/06-07

Motion was made by Trustee Nolan and seconded by Trustee Axtell-Whiting to accept the bid from Empty nest Builders for \$1078.86 for cabinet installation. This is covered by FEMA. Motion passed unanimously.

EMS

Trustee O'Connor informed the board that he had followed with other agencies as to their procedures for first responder training. Superior Ambulance shift supervisor Rich Barner stated that he would be more than happy to take our trainees on ride alongs in Superiors' ambulances. Mr. Barner just wanted to be sure about the insurance coverage. Mr. Hartz interjected that he felt this should be discussed in Executive Session. Trustee O'Connor stated that he felt it should be discussed in open session as they were not discussing a particular person, but procedure. Much discussion ensued, but there was a difference of opinion as to how long the qualification time should be.

PD

PRESIDENT

MOTION #534/06-07

Motion was made by Trustee Axtell-Whiting and seconded by Trustee O'Connor to authorize the Mayor's signature on the Allardice agreement for use with the EFC funds release. Motion passed unanimously.

The Mayor read a letter from Claudio Cabbibo about Butler Brook. Mr. Cabbibo thinks something should be done. The Mayor agreed with Mr. Cabbibo, but stated we needed to proceed with caution as the Village did not own the brook. Ms. Westfall advised that the Village not go onto private property. The Mayor stated that he would check with the National Guard and see if they could help.

MOTION #535/06-07

VILLAGE OF DEPOSIT : COUNTY OF BROOME
STATE OF NEW YORK

IN THE MATTER
OF
PROCEEDINGS TO REMOVE AND DEMOLISH UNSAFE
RESOLUTION
MOBILE HOMES PRESENTLY SITUATE AT THE
_____/06-07
RIVERSIDE TRAILER PARK IN THE VILLAGE OF
DEPOSIT

No.

AT A REGULAR SESSION OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPOSIT HELD ON SEPTEMBER 26, 2006 AT 7 pm, a motion was made by Trustee O'Connor and seconded by Trustee Axtell-Whiting, for the adoption of the following resolution:

WHEREAS, the Code Enforcement Officer of the Village of Deposit (the "Village") has made inspections and filed a report with the Village Board pursuant to the provisions of Chapter 123 of the Village code entitled "Unsafe Buildings" regarding certain mobile homes presently located at the Riverside Trailer Park (the "Park") in the Village, reputedly owned by Cabibbo, stating that each said mobile home cannot be occupied as each was made uninhabitable by reason of recent flooding, and as such are dangerous to the life, safety or general health and welfare of the people of the Village of Deposit; and

WHEREAS, a copy of said report is on file in the office of the Deposit Village Clerk; and

WHEREAS, the Unsafe Buildings Law, Section 123-9, provides that, in case there shall be, in the opinion of the code enforcement officer, actual and immediate danger of endangering the public safety, life or property or actual or immediate menace to the health or public welfare as a result of the conditions present, the code enforcement officer shall cause the necessary work to be done to correct the emergency condition; and

WHEREAS, the Village conducted an informational meeting on Saturday August 19, 2006, to explain to the mobile home owners a plan whereby the Village would arrange for each of said mobile homes to be removed from the Park by Broome County, at no cost to the owners, with reimbursement to be made by FEMA; and

WHEREAS, the Village has obtained or will obtain from each of the mobile home owners, as well as the mobile home park owner, a consent to be filed in the Deposit Village Clerk's Office, duly acknowledged before a Notary Public of the State of New York:

A. Acknowledging being advised by the Village that it intends to take appropriate action under the Unsafe Buildings Law, Chapter 123, to cause said mobile homes in the Park to be demolished and removed in that such mobile homes appear to present a clear and imminent danger to the life, safety and health of residents of the Village, and

B. Waiving the issuance and service of a notice directing said owners or park owner to immediately remove and demolish said mobile home in this matter, and

C. Consenting that, subject to the approval of any party holding an outstanding lien on said mobile home, the Village may cause said mobile home to be removed for the purpose of demolition, and

D. Releasing the Village, its officers, employees and agents from any liability relating to the exercise by the Village of the rights granted to the Village thereunder; and

WHEREAS, the Village Attorney has caused a search to be made regarding said mobile homes and has determined either that there are no liens outstanding against any of said mobile homes, or the Village Attorney has obtained or will obtain releases of any such liens; and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) ("SEQR"), it has been determined by the Deposit Village Board that the proposed corrective action constitutes an unlisted action as defined under said regulations and would not have a significant impact upon the environment and could be processed by other applicable governmental agencies without regard to SEQR.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of Trustees of the Village of Deposit, after considering said reports and pursuant to the emergency provisions of said Unsafe Buildings Law, Chapter 123, in regular session duly convened as follows:

1. It is hereby determined that said mobile homes are unsafe and dangerous and unfit for the purposes for which they may lawfully be used for all the reasons set forth in said reports; and

2. It is hereby determined that there is present a clear and imminent danger to the life, safety or health of persons in the vicinity unless said mobile homes are immediately removed and demolished; and

3. It is hereby ordered that said mobile homes be immediately removed from the Park and demolished.

4. This resolution shall take effect immediately.

The resolution passed unanimously.

TRUSTEES

FINANCE

MOTION #536/06-07

RESOLUTION 2006

RESOLUTION AUTHORIZING THE MAYOR OF THE BOARD OF TRUSTEES TO EXPEND FUNDS FROM THE CAPITAL RESERVE FUND OF THE VILLAGE OF DEPOSIT

The Village Board of Trustees of the Village of Deposit, duly convened in regular session, does hereby resolve, pursuant to the provisions of Section 6-c of the General Municipal Law ("GML") of the State of New York, that the Mayor of the Village Board of Trustees of the Village of Deposit be and he hereby is authorized and directed to expend funds from the Capital Reserve Fund of the Village of Deposit to purchase a 2006 Dodge Dakota for the Deposit Police Department as follows:

1. In the annual budget for the year 2006, \$10,000.00 for the purchase of a 2006 Durango for the Deposit Police Department.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Ayes: 4 Nays: 1

Trustee David Nolan voting	<u>Aye</u>
Trustee John O'Connor voting	<u>Aye</u>
Trustee Stacey Axtell voting	<u>Aye</u>
Trustee Lisa Weiss voting	<u>Absent</u>
Mayor Willis Smith voting	<u>Aye</u>

MOTION #537/06-07

RESOLUTION 2006

RESOLUTION AUTHORIZING THE MAYOR OF THE BOARD OF TRUSTEES TO EXPEND FUNDS FROM THE CAPITAL RESERVE FUND OF THE VILLAGE OF DEPOSIT

The Village Board of Trustees of the Village of Deposit, duly convened in regular session, does hereby resolve, pursuant to the provisions of Section 6-c of the General Municipal Law ("GML") of the State of New York, that the Mayor of the Village Board of Trustees of the Village of Deposit be and he hereby is authorized and directed to expend funds from the Capital Reserve Fund of the Village of Deposit to provide a computer upgrade in the Clerk's office as follows:

2. In the annual budget for the year 2006, \$1779.72 for the purpose of a computer upgrade to the Clerk's Office.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

Ayes: 4 Nays: 1

Trustee David Nolan voting	<u>Aye</u>
Trustee John O'Connor voting	<u>Aye</u>
Trustee Stacey Axtell voting	<u>Aye</u>
Trustee Lisa Weiss voting	<u>Absent</u>
Mayor Willis Smith voting	<u>Aye</u>

MOTION #538/06-07

Motion was made by Trustee Nolan and seconded by Trustee Axtell-Whiting to authorize \$8500.00 be taken out of General Fund Balance to pay the Village's portion of the KEK bill. Motion passed unanimously.

MOTION #539/06-07

Motion was made by Trustee Nolan and seconded by Trustee Axtell-Whiting to adjourn. Motion passed unanimously.

Mayor Smith adjourned the meeting at 8:00 PM.

Respectfully Submitted,