

REGULAR SESSION OF THE VILLAGE BOARD OF TRUSTEES ON  
NOVEMBER 8, 2005 AT 7:00 P.M. AT MEADOWPARK COMMUNITY CENTER

PRESENT: President Smith, Trustees Weiss, O'Connor, Nolan, C/T Decker, DCT Leonard, PWA Hubbard, Bruce Munn of Stearns & Wheler, Linda Hitt and Joann Furman of Delaware Opportunities, Terry Whiting, Dale VanPelt, Julie Sweet, Tony Smith, Debbie Stever, Tom Reis, Jennifer Macumber, Jim Conklin and Sharon Wright

President Smith opened the meeting at 7:00 p.m. with the Pledge of Allegiance.

President Smith introduced Bruce Munn of Stearns & Wheler to discuss the upgrade of the WWTP and the I&I (Inflow and Infiltration) issues facing the Village.

Mr. Munn stated that the costs for the WWTP have increased considerably since first conception of the project. These increases were attributed to construction costs, increased scope of plant improvements, additional items added to the project. Mr. Munn went on to say that he had met with PWA Hubbard and the Mayor and some costs were trimmed to bare bones to meet DEC Consent Order requirements as follows: Sludge Processing Building, including the aerobic digesters, belt filter press, polymer room. The sludge dewatering process will continue to be provided by the sludge drying beds with structural improvements first. With these eliminations, approximately 1.2 million will be saved. Trustee O'Connor asked if at some point in time these eliminations could be added back in. Mr. Munn assured the board that if in the future we wanted these things back, implementation would be no problem.

MOTION #05-06/225

A motion was made by Trustee O'Connor seconded by Trustee Nolan to approve above mentioned amendments from the design with NYSDEC approval. The motion carried unanimously.

Next a discussion on the I&I (Inflow and Infiltration) was discussed. Stearns and Wheler had given the board a proposal for an Inflow and Infiltration study at a cost of \$38,400.00. PWA Hubbard has identified some major problems with different streets and suggested they be looked at first and go from there.

MOTION #05-06/226

A motion was made by Trustee Nolan seconded by Trustee O'Connor to direct Mr. Munn of Stearns & Wheler to do random manhole flow testing two or three nights from 9 p.m. to 3 a.m. and provide us with a report at an hourly basis. The motion carried unanimously.

PWA Hubbard gave a brief update on the Pumps and Controls project with Wilkins Construction. He stated that Wilkins was waiting for a final shop design on the pumps from Seiwart. Once they are approved the project will move along and be completed within two weeks.

Next President Smith introduced Linda Hitt and Joann Furman of Delaware Opportunities on the Rental Assistance Program with the Village. Ms. Hitt stated she was there to answer any questions the Board had on the Program and to leave a pamphlet on the program for the Village's files. She stated that there were 30 families participating in the Village. She also stated that the income limits and rents are set by the federal government. President Smith thanked them for attending.

MOTION #05-06/227

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

MOTION #05-06/228

A motion was made by Trustee O'Connor to waive the reading of the minutes from October 11, October 12 and October 25, 2005. The motion carried unanimously.

MOTION #05-06/229

A motion was made by Trustee Nolan seconded by Trustee O'Connor to accept the minutes from October 11, October 12, and October 25, 2005. The motion carried unanimously.

MOTION #05-06/230

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

MOTION #05-06/231

A motion was made by Trustee Nolan seconded by Trustee Weiss to accept for filing the Fire Dept. monthly report. The motion carried unanimously.

OLD BUSINESS

STREETS

PWA Hubbard informed the board that the street crew had completed 49 work orders for the Village and 27 for OLWWTP in the past month. These included catch basins, preparing snow plows, moving sludge, and brush removal at the OLWWTP.

PWA Hubbard informed the board that the Village had received 10.5 inches of rain and Freedom Pond was performing as expected. Hubbard felt it was \$3,500 well spent.

WATER

PWA Hubbard stated that the Water Model is in its final stages. He stated Shumaker Engineers should be performing flow testing on fire hydrants this coming week with the well houses on and off.

PWA Hubbard stated that the Oak St. shut off date was fast approaching and that C/T Decker had sent a reminder letter to all the residents the 1<sup>st</sup> of November.

BUILDINGS

PWA Hubbard informed the board that Shumaker Engineers had given a proposal of \$51,000

NEW BUSINESS

POLICE

President Smith informed the board that he had attended the graduation of the Village's two cadets from the Police Academy. Aldo Rossi and Derek Bowie had graduated.

TRUSTEES

Trustee Nolan suggested that the Village attorney be contacted to begin the process of sub-division laws for the Village.

STREETS

PWA Hubbard informed the board that the Town of Sanford had a 1985 Chevy truck they would like to give to the Village primarily for use with the OLWWTP. President Smith asked Mr. Hubbard to have the truck looked over and get back to the board with an assessment.

WATER:

C/T Decker asked the board for a wavier of water and sewer penalties for account #592 as they had not received their bill. The board chose not to waive the penalties.

## FIRE DEPT.

Trustee O'Connor stated he thought the Fire Dept. had bought a rescue boat. President Smith stated that our Fire Dept. was part of the Broome Swift Water Rescue Team and he would find out if a boat had been purchased. He asked Dale VanPelt if he could enlighten the board. Dale Van Pelt stated that the Fire Dept. had discussed buying a boat for quite awhile and they had purchased one. President Smith had questions on insurance, training, schedule for training, and who actually owned the boat. Dale VanPelt stated the Fire Dept. had purchased with Fire Dept Inc. money. There was much discussion on rules and regs for each piece of equipment or like equipment. The Village Board would like to see these rules and regulations in the future especially pertaining to the rescue boat.

## PRESIDENT

President Smith asked for permission to allow the full time employees to receive turkeys for the holidays. The board agreed.

A RESOLUTION RELATING TO THE INITIAL REVIEW, UNDER THE  
STATE ENVIRONMENT RESOLUTION - 2005-  
TAL QUALITY REVIEW LAW, OF THE PROPOSED  
APPLICATION OF THE VILLAGE OF DEPOSIT TO ADOPT A LOCAL LAW  
AMENDING §140-53, "SPECIFIC REGULATIONS" OF CHAPTER 140,  
"ZONING", OF CODE OF THE VILLAGE OF DEPOSIT

The Village Board of Trustees of the Village of Deposit, duly convened in regular session, does hereby resolve as follows:

Section 1. Pursuant to, and in accordance with, the provisions  
of Section 617.6 (Initial

Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations (6 NYCRR Part 617), the Village Board of Trustees of the Village of Deposit hereby makes the following determinations and classifications with respect to the Village's application to adopt a local law amending §140-53, "Specific Regulations", (regarding ground signs) of Chapter 140, "Zoning", of the Code of the Village of Deposit. The Village Board of Trustees of the Village of Deposit (hereinafter referred to as "Village Board") hereby determines that the action is subject to SEQR.

1. The Village Board hereby determines that the "involved" and/or "interested" agencies are the Village Board, the Village Zoning Board of Appeals, and the Village Planning Board.
2. The Village Board hereby makes a preliminary classification of the action as an Unlisted Action.
3. The Village Board hereby determines that it will request lead agency status of the aforementioned agencies with respect to the action.

Section 2. This resolution shall take effect immediately.

Dated: November 8, 2005

MOTION #05-06/232

A motion was made by Trustee Nolan seconded by Trustee Weiss to accept the Zoning change pertaining to ground signs. The motion carried unanimously.

RESOLUTION - 2005-

A RESOLUTION RELATING TO THE INITIAL REVIEW, UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW LAW, OF THE PROPOSED APPLICATION OF THE VILLAGE OF DEPOSIT TO ADOPT A LOCAL LAW AMENDING §140-22, "SUPPLEMENTARY USE REGULATIONS FOR NONRESIDENTIAL DISTRICTS" OF CHAPTER 140, "ZONING", OF CODE OF THE VILLAGE OF DEPOSIT

The Village Board of Trustees of the Village of Deposit, duly convened in regular session, does hereby resolve as follows:

Section 1. Pursuant to, and in accordance with, the provisions of Section 617.6 (Initial

Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations (6 NYCRR Part 617), the Village Board of Trustees of the Village of Deposit hereby makes the following determinations and classifications with respect to the Village's application to adopt a local law amending §140-22, "Supplementary Use Regulations for Nonresidential Districts," of Chapter 140, "Zoning", of the Code of the Village of Deposit. The Village Board of Trustees of the Village of Deposit (hereinafter referred to as "Village Board") hereby determines that the action is subject to SEQRA.

1. The Village Board hereby determines that the "involved" and/or "interested" agencies are the Village Board, the Village Zoning Board of Appeals, and the Village Planning Board.

2. The Village Board hereby makes a preliminary classification of the action as an Unlisted Action.

3. The Village Board hereby determines that it will request lead agency status of the aforementioned agencies with respect to the action.

Section 2. This resolution shall take effect immediately.

Dated: November 8, 2005

MOTION#05-06/233

A motion was made by Trustee Nolan seconded by Trustee O'Connor to accept the changes to the Zoning in regards to nonresidential districts. The motion carried unanimously.

RESOLUTION - 2005-  
A RESOLUTION RELATING TO THE INITIAL REVIEW, UNDER THE  
STATE ENVIRONMENTAL QUALITY REVIEW LAW, OF THE PROPOSED  
APPLICATION OF THE VILLAGE OF DEPOSIT TO ADOPT A LOCAL LAW  
AMENDING CHAPTER 140, "ZONING", OF CODE OF THE VILLAGE OF  
DEPOSIT BY CREATING ARTICLE IIIA, "PLANNING BOARD"

The Village Board of Trustees of the Village of Deposit, duly convened in regular session, does hereby resolve as follows:

Section 1. Pursuant to, and in accordance with, the provisions  
of Section 617.6 (Initial

Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations (6 NYCRR Part 617), the Village Board of Trustees of the Village of Deposit hereby makes the following determinations and classifications with respect to the Village's application to adopt a local law amending Chapter 140, "Zoning", of the Code of the Village of Deposit by creating Article IIIA, "Planning Board". The Village Board of Trustees of the Village of Deposit (hereinafter referred to as "Village Board") hereby determines that the action is subject to SEQR.

1. The Village Board hereby determines that the "involved" and/or "interested" agencies are the Village Board, the Village Zoning Board of Appeals, and the Village Planning Board.

2. The Village Board hereby makes a preliminary classification of the action as an Unlisted Action.

3. The Village Board hereby determines that it will request lead agency status of the aforementioned agencies with respect to the action.

Section 2. This resolution shall take effect immediately.

Dated: November 8, 2005

MOTION #05-06/234

A motion was made by Trustee Nolan seconded by Trustee O'Connor to accept the Zoning Changes in regard to the Planning Board. The motion carried unanimously.

RESOLUTION - 2005-  
A RESOLUTION RELATING TO THE INITIAL REVIEW, UNDER THE  
STATE ENVIRONMENTAL QUALITY REVIEW LAW, OF THE PROPOSED  
APPLICATION OF THE VILLAGE OF DEPOSIT TO ADOPT A LOCAL LAW  
AMENDING §140-21, "SUPPLEMENTARY USE REGULATIONS FOR  
RESIDENTIAL DISTRICTS" OF CHAPTER 140, "ZONING", OF CODE OF  
THE VILLAGE OF DEPOSIT

The Village Board of Trustees of the Village of Deposit, duly convened in regular session, does hereby resolve as follows:

Section 1. Pursuant to, and in accordance with, the provisions of Section 617.6 (Initial

Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations (6 NYCRR Part 617), the Village Board of Trustees of the Village of Deposit hereby makes the following determinations and classifications with respect to the Village's application to adopt a local law amending §140-21, "Supplementary Use Regulations for Residential Districts," of Chapter 140, "Zoning", of the Code of the Village of Deposit. The Village Board of Trustees of the Village of Deposit (hereinafter referred to as "Village Board") hereby determines that the action is subject to SEQR.

1. The Village Board hereby determines that the "involved" and/or "interested" agencies are the Village Board, the Village Zoning Board of Appeals, and the Village Planning Board.

2. The Village Board hereby makes a preliminary classification of the action as an Unlisted Action.

3. The Village Board hereby determines that it will request lead agency status of the aforementioned agencies with respect to the action.

Section 2. This resolution shall take effect immediately.

Dated: November 8, 2005

#### MOTION#05-06/235

A motion was made by Trustee Nolan seconded by Trustee Weiss to accept the Zoning changes for use regulations for residential districts. The motion carried unanimously.

#### RESOLUTION - 2005-

A RESOLUTION RELATING TO THE INITIAL REVIEW, UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW LAW, OF THE PROPOSED APPLICATION OF THE VILLAGE OF DEPOSIT TO ADOPT A LOCAL LAW AMENDING §140-37, "VISIBILITY AT INTERSECTION" OF CHAPTER 140, "ZONING", OF CODE OF THE VILLAGE OF DEPOSIT

The Village Board of Trustees of the Village of Deposit, duly convened in regular session, does hereby resolve as follows:

Section 1. Pursuant to, and in accordance with, the provisions of Section 617.6 (Initial

Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations (6 NYCRR Part 617), the Village Board of Trustees of the

Village of Deposit hereby makes the following determinations and classifications with respect to the Village's application to adopt a local law amending §140-37, "Visibility at Intersection," of Chapter 140, "Zoning", of the Code of the Village of Deposit. The Village Board of Trustees of the Village of Deposit (hereinafter referred to as "Village Board") hereby determines that the action is subject to SEQR.

1. The Village Board hereby determines that the "involved" and/or "interested" agencies are the Village Board, the Village Zoning Board of Appeals, and the Village Planning Board.

2. The Village Board hereby makes a preliminary classification of the action as an Unlisted Action.

3. The Village Board hereby determines that it will request lead agency status of the aforementioned agencies with respect to the action.

Section 2. This resolution shall take effect immediately.

Dated: November 8, 2005

#### MOTION#05-06/236

A motion was made by Trustee Weiss seconded by Trustee Nolan to accept the Zoning changes in regards to visibility at intersections. The motion carried unanimously.

#### RESOLUTION - 2005-

#### A RESOLUTION RELATING TO THE INITIAL REVIEW, UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW LAW, OF THE PROPOSED APPLICATION OF THE VILLAGE OF DEPOSIT TO ADOPT A LOCAL LAW APPROVING A NEW ZONING MAP FOR THE VILLAGE

The Village Board of Trustees of the Village of Deposit, duly convened in regular session, does hereby resolve as follows:

Section 1. Pursuant to, and in accordance with, the provisions of Section 617.6 (Initial

Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations (6 NYCRR Part 617), the Village Board of Trustees of the Village of Deposit hereby makes the following determinations and classifications with respect to the Village's application to adopt a local law approving a new Zoning Map for the Village. The Village Board of Trustees of the Village of Deposit (hereinafter referred to as "Village Board") hereby determines that the action is subject to SEQR.

1. The Village Board hereby determines that the "involved" and/or "interested"

agencies are the Village Board, the Village Zoning Board of Appeals, and the Village Planning Board.

2. The Village Board hereby makes a preliminary classification of the action as an Unlisted Action.

3. The Village Board hereby determines that it will request lead agency status of the aforementioned agencies with respect to the action.

Section 2. This resolution shall take effect immediately.

Dated: November 8, 2005

**MOTION #05-06/237**

A motion was made by Trustee Nolan seconded by Trustee Weiss to accept the new Zoning Map with all the revisions. The motion carried unanimously.

**RESOLUTION 2005-**

**RESOLUTION AUTHORIZING THE PRESIDENT 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 President of the Village Board of Trustees of the Village of Deposit be and he hereby is authorized and directed to transfer funds from the Capital Reserve Fund of the Village of Deposit to the Ambulance Equipment expense item (item no. A4540.2) as follows:

1. In the Annual Budget for the year 2005, \$11,000.00 of the principal and accumulated interest in said Reserve Fund for the down payment of a 2006 Braun E-450 SLFEA Ambulance for use by the Deposit Rescue Squad; and

2. In the Annual Budget for the year 2006, \$97,947.00 of the principal and accumulated interest in said Reserve Fund for the balance owed for the purchase of a 2006 Braun E-450 SLFEA Ambulance for use by the Deposit Rescue Squad. Delivery of said Ambulance is anticipated in March, 2006.

This resolution shall be subject to a permissive referendum, as required by GML §6-c (8) of the Village Law.

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

Trustee David Nolan voting Aye



Trustee John O'Connor voting Aye

Trustee Stacey Axtell voting Nay

Trustee Lisa Weiss voting Aye

President Willis Smith voting Aye

Dated: November 8, 2005

## ELECTION RESOLUTION

2005

WHEREAS, THE Village Special Election of the Village of Deposit will be held on December 6, 2005 and

WHEREAS, no person shall be entitled to vote at any Village election whose name does not appear on the register of election district in which he/she claims to be entitled to vote, and WHEREAS, it is the duty of the inspectors of election to prepare such register of qualified voters for the district which they are appointed,

NOW THEREFORE BE IT RESOLVED:

1. Registration Day at the village of Deposit has been abolished and any voter who wishes to vote in the next village Election, to be held on December 6, 2005 must register with their county board of elections,
2. Voting for the forthcoming Village special election shall be conducted at the Village Hall 146 Front Street, Deposit, New York. Voting shall take place on December 6, 2005 between the hours of 12:00 noon until 9:00 PM.
3. This resolution shall take effect immediately.

PLEASE TAKE FURTHER NOTICE that the following referendum shall be presented at the Special election:

ABSTRACT OF LOCAL LAW A-2005 ENTITLED, "A Local Law amending c2, "Officers; Terms", and Creating c2.1, "Abolition of the Position of Village Justice", to the charter of the Village of Deposit to Abolish the elective Office of Village Justice for the Village of Deposit", which was adopted by the Village Board of Trustees of the village of Deposit, New York, on October 25, 2005, to be submitted as PROPOSITION NO. 1 and voted upon in the Village of Deposit at a special election to be held on December 6, 2005,

Stacey Axtell-Whiting	Nay
Lisa Weiss	Aye
John O'Connor	Aye
David Nolan	Aye
Willis Smith	Aye

### MOTION#05-06/238

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

GEN Fund:	\$23,335.70
Gen Fund Also	
Water Fund	\$13,067.05
Water fund also	\$ 6,890.92
Sewer Fund	\$ 4,727.83
Sewer Fund Also	\$ 9,907.05
T&A Fund	\$ 1,818.35
Consent Order:	\$22,443.33
Elm St.	\$1780.43
Fire Dept.	\$8,100.00

### MOTION #05-06/239

A motion was made by Trustee O'Connor seconded by Trustee Weiss to close the Clerk's office December 9<sup>th</sup>, 2005 in the afternoon for the Village Christmas Party. The motion carried unanimously.

**GUESTS:**

President Smith then asked if any guests wanted to speak. Jennifer Macumber and Tom Reis of Upper Court St. were present to ask the Village what services they could be provided as Village Tax payers where they live. They have built houses on upper Court St. and it is a private driveway to their houses. They do not have village water or sewer but do pay Village taxes. They feel they should be provided with fire/ambulance protection and plowing etc. The board directed C/T Decker to question the village attorney on the process of taking over a private drive as a village street.

**MOTION #05-06/240**

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

Respectfully Submitted: