

Regular Session of the Village Board of Trustees held on November 9, 2011 at 7:00 p.m. at the Deposit Theater

Present: Mayor O'Connor, Trustees Warner, McKee, O'Connell and Strauss, CT Decker, DCT Budine, Chief Ryneanson, Captain Couse, Howie Couse, Chief Cantwell, WWTPRO Raymond, Debbie Stever, Paul Lantz, Nancy Stanton, Eddy Joe Pavlov, Sharon Wright, Melisa Bishop, Mr. and Mrs. Cox, Mr. Musante and Jim Conklin

ABSENT: Superintendent Hubbard

President O'Connor opened the meeting with the Pledge of Allegiance

#### PUBLIC HEARING

7:00 p.m.

#### PROPERTY TAX OVER RIDE LL# 8 of 2011

CT Decker gave an over view of the LL#8 of 2011. The Property Tax Cap is 2% of the tax levy. If a municipality thinks or knows it will not be able to stay within the 2% limits it must pass a local law allowing the governing board to over ride the cap and collect what it needs in taxes to maintain its budget. The Village of Deposit has just begun its budget process with budget finalization by February 2012. The worksheet for the tax cap has been done for the Village and the levy can be increased by \$16,284. After budget meetings the board can then decide if it can keep within the limits of the cap. President O'Connor asked for public comments as follows: Mrs. Bishop asked if this were a good or bad thing for the Village and further she understood not too many municipalities in favor of the cap. O'Connor stated that its intentions were to keep raising taxes to a minimum but at the same time would curtail revenues that are needed to operate. O'Connor stated that many were opposed to the cap as it gave no relief for mandated expenses while decreasing revenues. Sharon Wright wanted to know what the Village planned on cutting in the budget process – O'Connor stated that last year the budget was cut 10% and he felt he didn't think anything further could be cut but that the annual budget process had just begun so it was hard to tell. President O'Connor then asked the Trustees for comments; there being none the Mayor offered the following resolution:

#### **RESOLUTION ADOPTING LOCAL LAW NO. 8 for 2011**

**WHEREAS**, a resolution was duly adopted by the Village Board of Trustees of the Village of Deposit for a public hearing to be held by said Board at the State Theatre, Front Street, Deposit, New York at 7 p.m. on Tuesday, November 8, 2011, to hear all interested parties on proposed Local Law No. 8 of 2011, entitled "A Local Law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c;" and

**WHEREAS**, notice of said public hearing was duly advertised in the Deposit Courier, the official newspaper of the Village and posted on the Village Clerk's sign board; and

**WHEREAS**, said public hearing was duly held at the State Theatre on November 8, 2011, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

**WHEREAS**, the Village Board of Trustees of the Village of Deposit, after due deliberation, finds it in the best interest of the Village to adopt said Local Law No. 8 of 2011,

**NOW, THEREFORE**, the Village Board of Trustees of the Village of Deposit hereby adopts said Local Law as Local Law No. 8 for 2011 and the Village Clerk is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Deposit, and to file said Local Law with the Secretary of State.

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

Ayes: 5      Nays: 0

|                          |     |
|--------------------------|-----|
| Trustee McKee voting     | Aye |
| Trustee O'Connell voting | Aye |
| Trustee Strauss voting   | Aye |
| Trustee Warner voting    | Aye |
| Mayor O'Connor voting    | Aye |

Dated: November 8, 2011

Next President O'Connor introduced Helen Cox of Front St. Mrs. Cox stated that they willingly signed an easement for the Village to access the Second St. Drain that needed to be replaced last year with the premise that Butler Brook be maintained of debris so as to allow drainage into the Delaware River. She stated that our most recent rain event found water in her neighbor's basements from Butler Brook. Wayne Raymond and Mayor O'Connor explained that in our most recent rain event - which was tropical storm Lee - the water from the river backed up into Butler Brook - this cannot be helped at all. We have no control over the river finding its way into Butler Brook when it is high. Further Oquaga Creek was cleaned out from Firemen's Park down to the river eliminating gravel bars that impede flow. Mrs. Cox said she was misinformed - she thought Butler Brook flowed directly into the river - Mr. Raymond stated that it flowed into Oquaga Creek and then both together flowed to the river. So by cleaning out Oquaga Creek of its gravel bars Butler Brook could flow unimpeded. Mayor O'Connor stated that the gravel bars in the river needed to be cleaned out as well. Decker encouraged Mr. and Mrs. Cox to address the Town of Deposit board of this endeavor. Mrs. Cox assemblyman Crouch was trying to pass bill A.4526. This bill would establish a stream maintenance and flood control program for counties. Mayor O'Connor stated he would have to find out more about the bill.

MOTION#177/11-12

A motion was made by Trustee Strauss seconded by Trustee Strauss to accept for filing the October 11<sup>th</sup> Regular Session and the October 25<sup>th</sup> Work Session minutes. The motion carried unanimously.

MOTION#178/11-12

A motion was made by Trustee Warner seconded by Trustee Strauss to waive the reading of the October 11<sup>th</sup> Regular Session and the October 25<sup>th</sup> Work Session minutes. The motion carried unanimously.

MOTION#179/11-12

A motion was made by Trustee Warner seconded by Trustee Strauss to accept for filing the monthly Police report. The motion carried unanimously.

MOTION#180/11-12

A motion was made by Trustee O'Connell seconded by Trustee McKee to accept for filing the monthly Fire Dept. report. The motion carried unanimously.

MOTION#181/11-12

A motion was made by Trustee Warner seconded by Trustee Strauss to accept for filing the monthly Treasurer's report. The motion carried unanimously.

MOTION#182/11-12

A motion was made by Trustee Warner seconded by Trustee Strauss to accept for filing the monthly Court report. The motion carried unanimously.

OLD BUSINESS

STREETS

No old business

WATER

No old business

SEWER

No old business

BUILDINGS

No old business

FIRE DEPARTMENT

No old business

EMERGENCY SQUAD

No old business

POLICE DEPARTMENT

No old business

PRESIDENT

Mayor O'Connor stated he had been in contact with the DRBC in regards to our recent requirement to pay an extra \$ 5,349.00 for the WWTP Upgrade. We are obligated to pay the invoice within 45 days.

TRUSTEES

No old business

FINANCE

No old business

NEW BUSINESS

STREETS

WWTPO Raymond stated that the meter for pump house #4 had been installed and was up and running.

WATER

No new business

SEWER

No new business

BUILDINGS

No new business

FIRE DEPARTMENT

Chief Shaun Rynearson stated that they had put together all their quotes for the equipment and would be presenting those to the board at the work session.

MOTION#183/11-12

A motion was made by Trustee Strauss seconded by Trustee Warner to authorize the purchase of two blood pressure monitors from Iris Vital signs for \$2,000 a piece to be paid for from reserve money. Three other quotes were obtained. The motion carried unanimously.

EMERGENCY SQUAD

No new business

POLICE DEPARTMENT

MOTION#184/11-12

A motion was made by Trustee Warner seconded by Trustee Strauss to allow the PD to participate in the NYS DOH Bureau of Emergency Medical Services AED program at a cost of \$2,170.80 from Police reserve to be reimbursed at a later date from BAE. The motion carried unanimously.

PRESIDENT

MOTION#185/11-12

A motion was made by Trustee McKee seconded by Trustee O'Connell to authorize the payment for a quarter page ad in this year's DCS yearbook at a cost of \$80.00. The motion carried unanimously.

President O'Connor read Mrs. Bishops letter to the board on the ongoing problem of dog feces in the Village. O'Connor suggested to Ms. Bishop that she get a name and take it to the PD for a littering ticket. Ms. Bishop said she could do that.

TRUSTEES

No new business

FINANCE

MOTION#186/11-12

A motion was made by Trustee McKee seconded by Trustee O'Connell to authorize the Mayors signature n the abstract of audited vouchers as follows:

|              |              |
|--------------|--------------|
| General Fund | \$ 23,783.37 |
| Water fund   | \$ 6,066.65  |
| Sewer Fund   | \$16,697.79  |
| T&A          | \$ 1,763.32  |

The motion carried unanimously.

MOTION#187/11-12

A motion was made by Trustee McKee seconded by Trustee O'Connell to authorize the signatures of the trustees and the mayor on the Broome County Relevy to be returned to the county on November 15, 2011. The motion carried unanimously.

MOTION#188/11-12

A motion was made by Trustee Strauss seconded by Trustee McKee to authorize the payment of \$3953.39 from water fund, fund balance for Shumaker Engineer invoice. The motion carried unanimously.

MOTION#189/11-12

A motion was made by Trustee Strauss seconded by Trustee Warner to authorize the payment of \$3191.11 from General fund, fund balance for a Shumaker Engineer invoice. The motion carried unanimously.

GUESTS

Steve Herz was present to discuss the Broome County Bus service. As of right now there are two days – Tues and Thurs that the Broome County bus comes to Deposit with a total of 5 people riding. Mr. Herz stated that in the next six months if ridership did not improve the county was going to stop the buses. It was decided that someone form the transit dept would come to Deposit to try and increase ridership.

MOTION#190/11-12

A motion was made by Trustee Strauss seconded by Trustee McKee to enter into and out of Executive Session to discuss specific personnel and property transfers. The motion carried unanimously.

The meeting was adjourned at 8:25 p.m.

