

REGULAR SESSION OF THE VILLAGE OF DEPOSIT HELD ON DECEMBER 8, 2009  
AT THE DEPOSIT THEATER

PRESENT:

President O'Connor, Trustees Warner, McKee and O'Connell, CT Decker, DCT Budine, PWA Hubbard, Economic Director Kenyon, Chief Cantwell, Asst Fire Chief Ryneerson, EMS Captain Couse, Debbie Stever, Jim Conklin, Wilber Dennis, Howie Couse, Georgiana Carson, Georgiana Whitehead, Justin Ward, Chris Zacharias, Sarah Evans, Nancy Stanton, Paul Lantz, Sharon Hafele, Lillian Moore, Steve Herz, Pastor Steve Lowe, Paul and Tiana Shaffer

ABSENT: Trustee Sollecito

President O'Connor opened the meeting at 7:00 p.m. with the Pledge of Allegiance.

PUBLIC HEARING

7:00 p.m.

CDBG 400,000 Grant

The purpose of the PH is to determine what the grant will be used for. These grants can be used for infrastructure and housing rehabilitation that affect low to moderate income residents. Amy Kenyon read the following fax received from Center of Deposit Inc. as follows: Center of Deposit Inc., owner of the former school campus at Second and Center streets in the center of the village, hereby submits the following comments for this evening's public hearing. The Village should request funds for the development of the former school campus located at Second and Center streets. This request could include a request for funds to acquire some or all of the property for public use. Sarah Stanco left a message at the Village Hall that she would like the village to consider a housing grant. Joe McQuade asked if you could divide the grant between infrastructure and housing. Kenyon replied that you could apply for multiple purposes. Wilber Dennis asked if you could apply for storm sewers. Kenyon replied yes you could – that's what the Second St. drain project was. Dennis continued he was interested in something being done about the drainage from Ford Hill. Mrs. Lillian Moore stated she would like to see the grant used for housing rehabilitation. Sharon Wright asked if there was grant assistance available for landlords. Kenyon stated not with the CDBG program. Georgiana Carson stated she would like to see curbing and streets repaired throughout the Village. Sharon Hafele asked if this grant could help reduce the water sewer rates – Kenyon stated no. Georgiana Whitehead asked if another application would have to be filled out with the housing rehabilitation grant. Kenyon stated that each person who filled out an application last year would be contacted directly by HUD this year to update information. Tiana Shaffer asked if seasonal residents were eligible for the housing. Kenyon stated that eligibility was by income not by seasonal or non-seasonal residential status. Robert Kuhnel asked what could be done about helping retail businesses. He stated he had empty stores in excellent condition. President O'Connor stated that that was a Chamber issue – a promoting issue not a grant eligible issue. President O'Connor stated that he was interested in the issue of the water mains that run thru the basements of some of the homes on Wheeler St. He wondered if \$400,000 would cover such a project. PWA Hubbard stated that in working with Shumaker Engineers they felt the grant allotment would cover the cost of the project. With there being no more public comments the public hearing was closed at 7:25 p.m.

Kenyon then addressed the water sewer rates for the upcoming 2010-2011 budget. She stated that the board was able to keep the sewer rates the same as last year. All cost associated with the plant are estimates from the engineers, so hopefully the rates will remain as they are. Kenyon further stated that everyone was aware that Norbord

had closed resulting in the loss of over \$100,000 in revenue for the Village. That revenue has to be made up elsewhere. The board managed to cut \$26,000, or 8.5%, from the water budget. From there they decided to raise more money and make it equal to all rate payers, they would charge water debt by unit rather than meter causing a decrease in the debt portion of the bills by about \$5.00. Plus the board had to increase O&M by approximately \$14.00 per quarter to offset the loss of revenue. All changes made resulted in an increase in the minimum water bill of about \$9 a quarter or \$36 a year. Kenyon stated the board still had to hold a public hearing on the rates but wanted to get the information out to the public as soon as possible.

Kenyon then stated that the Village had the Main St. grant money and the deadline for applications would be spring at the latest. This grant was for facades and second floor renovations.

#### MOTION#254/09-10

A motion was made by Trustee O'Connell seconded by Trustee Warner to waive the reading of the November 10 Regular Session and the November 16<sup>th</sup> Special Meeting. The motion carried unanimously.

#### MOTION#255/09-10

A motion was made by Trustee McKee seconded by Trustee Warner to accept for filing the November 10 Regular Session and the November 16<sup>th</sup> Special Meeting. The motion carried unanimously.

#### MOTION#256/09-10

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

#### MOTION#257/09-10

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

#### MOTION#258/09-10

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

#### MOTION#259/09-10

A motion was made by Trustee O'Connell seconded by Trustee Warner to accept for filing the monthly Planning Board Report. The motion carried unanimously.

#### OLD BUSINESS

PWA Hubbard stated the DPW had completed 84 Work Orders for the Village and 26 for the OLWWTP. Hubbard wanted to thank the Town of Sanford for the use of the grade-all for the ditch work on Upper Pine St. It was very helpful. He informed the board that he had been working with Bill Lane of Shumaker Engineers on the water loop and water main issues on Wheeler St.

#### MOTION#260/09-10

A motion was made by Trustee McKee seconded by Trustee O'Connell to have Gates Door replace the panels in the Fire Station garage doors for \$1222.20 and to take that amount from general fund fund balance. The motion carried unanimously.

PWA Hubbard distributed some paperwork on the ventilation at the fire hall. Wayne Raymond had obtained quotes for a 12 foot roof fan and five smaller fans from Lowes. These fans will circulate and bring heat from the ceiling down. He asked the board to look the paperwork over and give direction at the next meeting.

FD:

President O'Connor stated that the new turn out gear had been delivered to the fire department and they had a chance to use the new gear at a house fire the night before. He then asked two firemen to demonstrate the new gear.

Finance:

MOTION#261/09-10

A motion was made by Trustee O'Connell seconded by Trustee Mckee to authorize the purchase of two laptop computers from Computer Emergency Room for \$2020.00 for the WWTP Scada system to be paid from sewer fund balance. The motion carried unanimously.

NEW BUSINESS:

FD

Assistant Fire Chief Ryneerson had quotes for new tires for the Command Vehicle for about \$484.00. The board informed Ryneerson that he did not need quotes to purchase the tires.

Ryneerson stated that the Afton Fire Dept had given the Deposit Fire dept. 12 scot packs – they were newer and updated.

EMS:

Captain Couse stated she had attended a Cardiac Seminar at UHS for 12 lead cardiac monitors. She stated UHS would look for a grant for those that attended the seminar for the monitors.

PD:

Chief Cantwell informed the board that he had been approved for a STEP grant for the 2010-2011 budget. When he received a dollar amount he would inform the board.

President:

ELECTION RESOLUTION

2010-2011

WHEREAS, the next Village General Election for the Officers of the Village of Deposit will be held on March 2, 2010 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 March 2, 2010 must register with their County Board of elections, by February 19, 2010.
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 March 2, 2010 between the hours of 12:00 noon until 9:00 PM.
3. This resolution shall take effect immediately.

Trustee Sollecito      Aye  
Trustee Warner        Aye

Trustee O'Connell     Aye  
Trustee McKee        Aye  
Mayor O'Connor       Aye

MOTION#262/09-10

A motion was made by Trustee O'Connell seconded by Trustee Warner to authorize the Mayor's signature on the Broome County 2010 Stop DWI contract in the amount of \$1183.00. The motion carried unanimously.

MOTION#263/09-10

A motion was made by Trustee McKee seconded by Trustee Warner to authorize the mayor's signature on the renewal of the Broome County Senior Rent contract in the amount of \$287.00 per month for 2010. The motion carried unanimously.

MOTION#264/09-10

A motion was made by Trustee Warner seconded by Trustee O'Connell to authorize the Mayor's signature on the 2010 Planning agreement with Delaware County Planning Dept in the amount of \$3500.00. The motion carried unanimously.

MOTION#265/09-10

A motion was made by Trustee Warner seconded by Trustee McKee to authorize the Mayor's signature on the abstract of audited vouchers as follows:

General Fund	\$ 31,815.64
Water fund	\$ 7,234.70
Sewer Fund	\$ 61,238.32
T&A	\$ 1,819.39
Lash Contracting	\$ 19,809.25

The motion carried unanimously.

MOTION#266/09-10

A motion was made by Trustee McKee seconded by Trustee O'Connell to authorize \$10,000 to be taken from water fund balance to pay Shumaker Engineers to study the water loop project. The motion carried unanimously.

MOTION#267/09-10

A motion was made by Trustee O'Connell seconded by Trustee Warner to pay Gruver, Sweifel and Scott \$11,250 from General Fund fund balance. The motion carried unanimously.

MOTION#268/09-10

A motion was made by Trustee O'Connell seconded by Trustee McKee to pay Standard Insulating Co. from General fund fund balance in the amount of \$89,200 for the fire hall roof. The motion carried unanimously.

MOTION#269/09-10

A motion was made by Trustee McKee seconded by Trustee Warner to authorize final payment to Lash Contracting for the inverted siphon project in the amount of \$19,809.25. The motion carried unanimously.

MOTION#270/09-10

A motion was made by Trustee McKee seconded by Trustee Warner to allow the Village offices to be closed December 18, 2009 at 12 noon for the annual Christmas Party. The motion carried unanimously.

MOTION#271/09-10

A motion was made by Trustee O'Connell seconded by Trustee Warner to hire Bonnie Faulkner, Mary Cable and Doris Gruscavage as election inspectors at \$10.00 an hour on March 2, 2010. The motion carried unanimously.

MOTION#272/09-10

A motion was made by Trustee McKee seconded by Trustee O'Connell to pay \$8,110.50 from general fund balance for legal fees from the Second St. Drain Project and the WWTP. The motion carried unanimously.

GUESTS:

Georgiana Carson wondered if Steve Herz in the audience could shed some light on the stray cat situation. Mr. Herz stated there was nothing that could be done. It was suggested to Mrs. Carson that she contact the Town of Deposit Health Officer. Nancy Stanton wanted to know what was going to be done about the no parking situation on Elm St. She stated there was no place for visitors to park and if they parked on the street they got tickets. Steve Herz offered the County services for just that portion of the street to make an informal determination on parking. He stated to have the Village simply write a request. President O'Connor suggested the Planning Board take a look at the situation as well. Mrs. Evans, Planning Board Chair, stated situations like Elm St. is why the Village needs to hire a Traffic Consultant.

Steve Herz informed the board that Broome County was discussing the formation of a Restore Rural Broome County Initiatives. He would like the Village to send him an informal list of possible properties that need demolition.

Mrs. Moore asked if the Village had the right to take the old school building as eminent domain. President O'Connor simply told Mrs. Moore to write a letter to the village.

MOTION#273/09-10

A motion was made by Trustee McKee seconded by Trustee Warner to enter into and out of executive session. The motion carried unanimously.

MOTION#274/09-10

A motion was made by Trustee O'Connell seconded by Trustee McKee to approve the EMS application of Tommy Axtell. The motion carried unanimously.

**Resolution**

**Authorizing Eminent Domain Proceeding  
and Scheduling Public Hearing**

At a regular meeting of the Village Board of Trustees of the Village of Deposit, Broome and Delaware Counties, New York, held at the Deposit Theater on the 8<sup>th</sup> day of December, 2009, the following resolution was offered by Trustee O'Connell, who moved for its adoption, seconded by Trustee Warner.

**WHEREAS**, in connection with the Second Street Drainage Project ("the Project"), it is necessary for the Village to obtain several easements to upgrade its stormwater lines and two property owners are not willing to voluntarily execute amended easements; and

**WHEREAS**, the Village must complete the Project and acquire the easements expeditiously in order to utilize grant funds for the Project; and

**WHEREAS**, the Board of Trustees deems it necessary to consider acquisition of the easements by eminent domain,

**NOW, THEREFORE**, this 8<sup>th</sup> day of December, 2009, **BE IT RESOLVED** by the Village Board of Trustees of the Village of Deposit, Broome and Delaware Counties, New York, as follows:

1. **RESOLVED**, that the Village general counsel, Coughlin & Gerhart, LLP, is hereby authorized to represent the Village in the eminent domain proceeding at the billing rate of \$150 per hour, plus out-of-pocket disbursements; and
2. **RESOLVED**, that the Village Board hereby schedules a public hearing on the eminent domain proceedings on **Tuesday, December 29, 2009** at **7 pm** at the Village Hall at 146 Front Street, Deposit, NY; and
3. **RESOLVED**, that the Village Clerk is hereby authorized to publish notice of said public hearing in the Deposit Courier twice, on December 16<sup>th</sup> and on December 23<sup>rd</sup> and on five successive days in the Press & Sun-Bulletin, on December 16<sup>th</sup>, 17<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup>, and 20<sup>th</sup>; and
4. **RESOLVED**, that the Village Clerk is hereby authorized to serve notice of said public hearing on the two property owners by personal service or by certified mail/return receipt requested, no later than December 18, 2009.

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

Trustee Warner	Voting Aye
Trustee O'Connell	Voting Aye
Trustee Sollecito	Voting Nay
Trustee McKee	Voting Aye
Mayor O'Connor	Voting Aye

The resolution was thereupon declared duly adopted.

The Meeting was adjourned at 9:50 p.m.

Respectfully Submitted:

