

REGULAR SESSION OF THE VILLAGE OF DEPOSIT VILLAGE BOARD ON DECEMBER 14, 2004 AT 7:00 P.M. AT MEADOWPARK COMMUNITY CENTER

PRESENT: Trustees Smith, Edwards, O'Connor and Nolan, DCT Decker, PWA Hubbard, Police Chief Roberts, Karen Leonard, Jim Conklin, Rita Brower, Ray O'Dell, Mitch Bush, Marilyn Kerwin, Jeanne Owens, Father Nick, Stacey Axtell, Terry Whiting, Debbie Stever, Randy Hartz , Captian EMS Squad, and Sharon Wright.

President Smith opened the meeting at 7:00 P.M. with the pledge of allegiance followed by an invocation by Father Nick of the Episcopal Church.

PUBLIC HEARING
7:00 P.m.
2005/2006 Water and Sewer Budgets

President Smith informed the board that the new water rates were the same at \$48.88 and the sewer rates were \$103.13. He then asked for public comment.

The Public Hearing closed at 7:05 p.m.

Guests; Mitch Bush, President of the Lumberjack Festival, expressed concern with the Village crew's involvement with the annual festival. He much appreciated the help in the past and would like to see it continue. President Smith explained that he felt the Village just wanted more support from the two towns as well. Trustee O'Connor further explained that he felt it was unnecessary for the Village crew to work on overtime hours. He felt that the festival should take more responsibility in garbage etc. so as not to use overtime man hours by the municipality.

Jeanne Owens of the Deposit Chamber was also expressing her thank as to the many things the village crew takes care of at the Octoberfest and the Ice Cream Run. She also would like to see the contribution continue.

OLD BUSINESS

STREETS:

PWA Hubbard stated that the crew finished 59 work orders. Maintenance on the trucks, drying beds prepared for winter, hauling sludge, cold patch, catch basins cleaned and Elm St. was backfilled, snow plows prepared and the leaf pickup was complete.

OLD BUSINESS

WATER: PWA Hubbard informed the board that the acid cleaning of well #4 had gone from pumping 230 gals a minute to 480 gals per minute. Mr. Hubbard was very pleased with the outcome of the acid cleaning.

PWA Hubbard informed the board that he and John Romanofski had met with George Fish of the Plumbers Union on the cross connection law. They discussed doing the cross connection in two phases:

- 1.) hook up dental, funeral homes, larger businesses and car washes first as they are the most important.
- 2.) hook up beauty salons.

George Fish also suggested that the Village not send one of the crew for training on the annual inspection of the connectors; we might better have the owners contract someone to have them inspected.

STREETS:

Several people asked about the future parking on Elm St. Some feel there should be no parking or at least no parking on one side. President Smith wants the Planning board to address the situation on Elm and come back to the board with an assessment.

MOTION #318/04-05

A motion was made by Trustee Nolan seconded by Trustee Edwards to waive the reading of the minutes from November 9, 24 and 29th. The motion carried unanimously.

MOTION #319/04-05

A motion was made by Trustee Nolan seconded by Trustee Edwards to approve the minutes from November 9, 24 and 29th. The motion carried unanimously.

MOTION#320/04-05

A motion was made by Trustee Edwards seconded by Trustee O'Connor to accept the Treasurers report fore filing. The motion carried unanimously.

MOTION#321/04-05

A motion was made by Trustee Nolan seconded by Trustee Edwards to accept for filing the monthly report from Susan Payne. The motion carried unanimously.

MOTION#322/04-05

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

MOTION #323/04-05

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

MOTION#324/04-05

A motion was made by Trustee Edwards seconded by Trustee O'Connor to accept for filing the monthly report from the Code Enforcement Officer. The motion carried unanimously.

MOTION #325/04-05

A motion was made by Trustee Nolan seconded by Trustee Smith to have PWA Hubbard be the contact person for the NYSDOT Survey. The motion carried unanimously.

PUBLIC HEARING

7:30 P.M.

CHANGE OF CHARTER

There was much discussion on the shift of power from the Mayor to the Trustees. Some felt that there had been an abuse of power with other administrations and this would just eliminate that, still others felt that it would far too confusing to have 5 people in charge of the department rather than one.

RESOLUTION ADOPTING LOCAL LAW NO. A-2004 AMENDING §C8, "VILLAGE BOARD: DUTIES OF MAYOR; ANNUAL REPORT", AND CREATING §C40A, "POLICE PROTECTION", OF THE CHARTER OF THE VILLAGE OF DEPOSIT

Offered by Trustee Edwards

Seconded by Trustee Nolan

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 Meadowpark Community Center, 85 Fair Street, Deposit, NY, on December 14, 2004 at 7:30 p.m. to hear all interested parties and a proposed Local Law entitled "A Local Law Amending §C8, "Village Board: Duties of Mayor; Annual Report", and Creating §C40A, "Police Protection", of the Charter of the Village of Deposit as follows":

§C8, "Village Board; duties of Mayor; annual report", shall be amended as follows:

The fifth sentence stating, "He shall maintain peace and good order in the Village; and shall have the power, and it shall be his duty, to direct the policemen in the discharge of their official duties, and shall have personal supervision over the affairs of the Village, cause to be brought or defended whatever actions in law or equity shall be ordered to be brought or defended by the Village Board, including actions for fines and penalties, and on the official bond executed by the Village officers", shall be amended as follows:

"He shall maintain peace and good order in the Village; and shall have personal supervision over the affairs of the Village, cause to be brought or defended whatever actions in law or equity shall be ordered to be brought or defended by the Village Board,

including actions for fines and penalties, and on the official bond executed by the Village officers.”

§C49a, “Police Protection”, shall be created as follows:

The Board shall have the power and authority to organize and maintain a Police Department, and to purchase and keep in repair vehicles and other apparatus for the protection of the Village residents, to appoint and dismiss police officers, to make rules and regulations for the government of the police department and the members thereof, and to direct the police officers in the discharge of their official duties, and

WHEREAS, notice of said public hearing was duly advertised in the Deposit Courier, the official newspaper of the Village, on December 8, 2004 and posted on the Village Clerk’s Sign Board on November 30, 2004, and

WHEREAS, said public hearing was duly held at the Meadowpark Community Center, 85 Fair Street, Deposit, NY at 7:30 p.m. on December 14, 2004 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,

NOW, THEREFORE, the Village Board of Trustees of the Village of Deposit hereby adopts said Local Law as Local Law No. A-2004 entitled “A Local Law Amending §C8, “Village Board: Duties of Mayor; Annual Report”, and Creating §C40A, “Police Protection”, of the Charter of the Village of Deposit”, a copy of which is attached hereto and made a part hereof, and the Village Clerk be and she 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 give due notice of the adoption of said Local Law to the Secretary of State.

This Local Law shall be subject to a mandatory referendum at the next General Village Election to be held March 1, 2005.

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: 0

Trustee David Nolan voting - AYE

Trustee Fred Edwards voting - AYE

Trustee John O’Connor voting - AYE

Trustee Anthony Smith voting - AYE

Dated: December 14, 2004

The Public Hearing was closed at 7:45 p.m.

**PUBLIC HEARING
FIRE AND AMBULANCE BUDGETS**

7:50 P.m.

MOTION #326/04-05

A motion was made by Trustee Edwards seconded by Trustee Nolan to approve that Fire Dept Budget at \$95,110 for 2005/2006. The motion carried unanimously.

MOTION #327/04-05

A motion was made by Trustee Nolan seconded by Trustee Edwards to approve the Ambulance budget of \$65,185 for 2005/2006. The motion carried unanimously.

The public hearing closed at 7:52 p.m.

FINANCE: DCT Decker informed the board that after much discussion that they should

Rescind motion #316/04-05 of November's Regular Session to pay for one tank of gas per week with the chief of police. She stated this should be amended to follow our personnel policy or other options should be discussed at this time. Trustee Nolan suggested that the personnel policy mileage reimbursement was not intended for mileage to and from work. He would like Attorney Schaeve to attend the next meeting and clarify. Trustee Nolan felt that the idea was to compensate the employee for times above and beyond returning to work after the 40 hour work week. Trustee O'Connor felt that meeting with the attorney on this issue was important. Trustee Nolan asked that the gas and cell motions from November be tabled until the work session.

NEW BUSINESS

STREETS:

President Smith stated he thought that we should go out to bid on the truck maintenance as we lost our vendor. PWA Hubbard stated that he would spread the work around to local garages until he could go out to bid again in March.

BUILDINGS:

PWA Hubbard informed the board that the police garage had been finished and they had ordered new lights as well

PWA Hubbard also informed the board that he plays phone tag continuously and would like a cell phone. President Smith asked Mr. Hubbard to bring to the board quotes for different carriers to the next meeting.

EMS:

Randy Hartz, Captain of the EMS asked the board to go out to bid for one ambulance with a price option for a second. He explained that the one ambulance we have has been remounted twice already and the other has been remounted three times. He would like to use what is in the reserve for at least one ambulance and possibly bond for the second. President Smith stated that we would set up an Oversight Committee Meeting as soon as possible.

POLICE:

Police Chief Roberts informed the board that he had a ride along waiver he would like the Village Attorney to approve so the trustees and the individuals that go to the PD academy.

Chief Roberts then stated he would like to use the upstairs records room for an evidence locker. He informed the board that he and his officers would build shelving and have the records room for the clerk's office the same as what it is now. The chief would also install a camera.

MOTION #328/04-05

A motion was made by Trustee O'Connor seconded by Trustee Nolan to pass the 2005/2006 EDRLF Budget as presented (see attachment). The motion carried unanimously.

MOTION #329/04-05

A motion was made by Trustee Edwards seconded by Trustee O'Connor to accept the Broome County Aging Contract as presented for the year 2005. The motion carried unanimously.

MOTION #330/04-05

A motion as made by Trustee Nolan seconded by Trustee Edwards to allow DCT Decker to make the necessary budget adjustments as presented (see attached) and to increase the budget by the \$50,000 bond for the new truck. The motion carried unanimously.

MOTION #331/04-05

A motion was made by Trustee Nolan seconded by Trustee Edwards to establish the polling place for the March 1, 2005 elections as 91 Second St. the Town of Sanford building. The motion carried unanimously.

MOTION#332/04-05

A motion was made by Trustee Nolan seconded by Trustee Smith to authorize the mayor's signature on the abstract of audited vouchers for payment as follows:

General Fund: \$35,180.66
Water Fund: \$24,921.41
Sewer Fund: \$66,267.77
General Fund Also: \$87,185.08
Water Fund Also: \$15,069.90
Sewer Fund Also: \$31,876.70
TA: \$2178.05
Elm St. \$628.11

MOTION #333/04-05

A motion was made by Trustee O'Connor seconded by Trustee Nolan to allow the employees to take a half a day Christmas Eve off providing they use personal or vacation time. The motion carried unanimously.

MOTION#334/04-05

A motion was made by Trustee O'Connor seconded by Trustee Nolan to hold a Public Hearing on the change of the charter establishing polling times from noon to 9 p.m. for January 11, 2005 at 7:00 p.m. The motion carried unanimously.

MOTION #335/04-05

A motion was made by Trustee Nolan seconded by Trustee O'Connor to declare the changing of the Zoning Local Law a type 1 SEQR requiring no environmental review as there is no impact on the environment. The motion carried unanimously.

MOTION#336/04-05

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

MOTION #337/04-05

A motion was made by Trustee Nolan seconded by Trustee Edwards to hire Ty Towers as a Part time Patrolman for the Police Dept. at \$10.76 an hour effective immediately at no more than 19.5 hours. The motion carried unanimously.

MOTION #338/04-05

A motion was made by Trustee Nolan seconded by Trustee Smith to hire Donna Fricker as a receptionist typist for the Clerk's Office at \$8.00 an hour effective December 8, 2004. She will also serve as the Court Clerk, and Police Clerk. The motion carried unanimously.

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

Respectfully Submitted