

MEETING OF THE VILLAGE OF DEPOSIT BOARD OF TRUSTEES HELD ON  
APRIL 27, 2004 AT THE VILLAGE HALL AT 7:00 P.M.

Present: President Hayes, Trustees Smith, Edwards, O'Connor, and Nolan, CO Barry Conklin, PWA Brad Hubbard, OIC Ladd Dawson, CT Meg Hungerford, DCT Cheryl Decker, Mr. & Mrs. Buck, Jim Conklin, Deb Stever, Sharon Wright

President Hayes called the meeting to order at 7:05 p.m.

CO Barry Conklin presented his monthly report and reviewed specific items with the board. The issue of having to personally serve appearance tickets for code violations was discussed as it is difficult to serve out of village owners. Barry will contact Attorney Schaewe to determine what alternatives there may be.

The property at 97 Front Street was discussed and if it has been through the proper zoning procedures. CO Barry Conklin will pursue this.

President Hayes opened the public hearing on the proposed local law regarding Chapter 27 of the Village Code at 7:30 p.m. He stated that the proposed local law had one amendment to Section 2 to state that the individual must be a resident of Broome or Delaware counties.

There were no public comments, and the public hearing was closed at 7:31 p.m.

**MOTION #76/04-05**

Motion made by Trustee Smith, seconded by Trustee O'Connor to approve the attached resolution adopting Local Law #5 of 2004 creating Chapter 27 entitled "Officers and Employees" of the code of the Village of Deposit and further creating Article II of said chapter entitled Village Attorney. Motion unanimously carried.

**MOTION #77/04-05**

Motion made by Trustee Smith, seconded by Trustee O'Connor to waive the reading of the minutes of 3/18, 3/23, 4/5, and 4/13/04. Motion unanimously carried.

**MOTION #78/04-05**

Motion made by Trustee Smith, seconded by Trustee Edwards to approve the minutes of 3/18, 3/23, 4/5, and 4/13. Motion unanimously carried.

PWA Hubbard requested that the village board approve street work to be done on Front Street from Dean Street to Division Street using CHIPS money at a cost of approximately \$27,000. Clerk Treasurer Hungerford explained that the village is committed to providing \$50,000 for the 2005 Small Cities project if the grant is received. If there is not sufficient CHIPS funds available, the village will have to use other sources for this contribution.

**MOTION #79/04-05**

Motion made by Trustee Nolan, seconded by Trustee O'Connor to approve the paving work to be done Front Street from Dean to Division Street at a cost of approximately \$27,000, using CHIPS funds. The board recognizes that this may require that the village provide \$10-15,000 to meet the 2005 CDBG budget commitment. Motion unanimously carried.

PWA Hubbard reported that New York Leak Detection services found 6 major leaks in the village lines, as well as some smaller leaks, and all but one have been fixed. He also reported that he is working with Moody Pump in regards to the problems at Well #4.

**MOTION #80/04-05**

Motion made by Trustee Smith, seconded by Trustee Edwards to adopt the attached resolution approving the release on construction bid documents for the Elm Street project. Motion unanimously carried.

Bids are to be returned by June 4, 2004 at 3:00 p.m. and will be presented to the board at the June 8, 2004 meeting.

President Hayes requested board approval to create a high level committee for approval of items regarding the fire hall construction project. Given our fast approaching deadline and tight schedule decision items will come up that will need quick action. The committee will consist of President Hayes, Trustee Smith, Chief Conklin, Supervisor Decker, and Supervisor Woodford. The board agreed to establish this committee and give them authority to make decisions as needed.

OIC Dawson informed the board that the Police Benevolent Association (PBA) will be giving a scholarship to a graduation high school senior.

Trustee Nolan inquired if the PBA was under village board oversight, and OIC Dawson responded that it is not. Trustee Nolan further inquired if the PBA is considered a, or has potential for becoming a collective bargaining unit.

OIC Dawson presented an police officer applicaiton to the board for their consideration. Trustee Nolan inquired if the board had authorized recruitment, and President Hayes responded that the police department rules and regulations needed to be established first.

**MOTION #81/04-05**

Motion made by Trustee Smith, seconded by Trustee O'Connor to appoint Deb Ditewig Acting Justice through February 2005. Motion unanimously carried.

Trustee Edwards inquired about the enforcability of the 20 mph posted speed limit on Front Street. President Hayes responded that is was not enforceable because there is a state law regarding speeds that cannot be overruled and the 20 mph is not in agreement with the state law. Trustee Edwards indicated that he felt it ought to be changed or the signs removed. Trustee Nolan inquired if the fact the we are a chartered village allowed the state law to be overruled.

A brief discussion of loitering within the village and the possible need for a local law took place.

**MOTION #82/04-05**

Motion made by Trustee Smith, seconded by Trustee Nolan to approve assigning the Innovative Health Service EDRLF loan to American Sino. Motion unanimously carried.

**MOTION #83/04-05**

Motion made by Trustee Edwards, seconded by Trustee Smith to approve an EDRLF loan to the Deposit Community Day Care Center in the amount of \$102,650 for 5 years at 0% interest. Specific terms and conditions as indicated in the loan agreement. Motion unanimously carried.

**MOTION #84/04-05**

Motion made by Trustee Nolan, seconded by Trustee O'Connor to ammend Motion #43/04-05 regarding Annual Municipal Clean Up Day to indicate that tires on rims WILL be accepted. Motion unanimously carried.

**MOTION #85/04-05**

Motion made by Trustee Smith, seconded by Trustee Nolan to approve CT Hungerford's attendance at a workman's comp seminar on May 11<sup>th</sup> at a cost of \$5.00. Motion unanimously carried.

Trustee O'Connor inquired regarding the reason that the 2003-04 voucher for the historical society was not paid. President Hayes indicated that the voucher was submitted for more than was budgeted.

Sharon Wright inquired as to the status of the Ice Cream Run for Kids motorcycle festival. President Hayes indicated that they were working with other organizations and the village had heard nothing further yet. Ms. Wright indicatedt ath she thought it would be a bad idea to close Front St. on Saturday July 3<sup>rd</sup>.

**MOTION #86/04-05**

Motion made by Trustee Smith, seconded by Trustee Nolan to enter into and out of executive session.

**MOTION #87/04-05**

Motin made by Trustee Smith, seconded by Trustee Nolan to ammend the Village of Deposit Personnel Policy to indicated that "Subject to board approval to obtain a water or sewer lisencc, employees obtaining their lisencc will receive the following wage increases:

- Sewer lisencc: \$1.00/hour
- Class B Water lisencc: \$1.00/hour
- Class D Water lisencc \$.50/hour

This may be ammended by resolution of the Village Board of Trustees.  
Motion unanimously carried.

**MOTION #88/04-05**

Motion made by Trustee Smith, seconded by Trustee Edwards to give Mike D'Agati a \$1.00/hour raise for obtaining his sewer lisenche, retroactive to the date the lisenche was obtained. Motion unanimously carried.

**MOTION #89/04-05**

Motion made by Trustee Smith, seconded by Trustee Nolan to give Scott Conklin a \$1.00 per hour raise for obtaining his class B water lisenche, retroactive to the date the lisenche was obtained. Motion unanimously carried.

The meeting adjourned.

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Meg L. Hungerford  
Clerk Treasurer