

WORK SESSION OF THE VILLAGE BOARD OF TRUSTEES HELD ON JULY 25, 2017
AT THE DEPOSIT THEATER AT 7:00 p.m.

PRESENT: Mayor Rynearson, Trustees Warner, Moore, O'Connell and Smith, C/T Decker, DPW Supervisor Davie, Chief's Rynearson and Zacharias, CEO Hathaway, Lucy and Paul Lantz, Jim Conklin, Jim Durning, Kermit Mott, John O'Connor, Luke Smith, Jay Vandermark Jr., John Romanofski, Scott Conklin, Beth Westfall Esq., and Roberta Dunker

ABSENT: DC/T Budine

Mayor Rynearson opened the meeting at 7:00 p.m.

MOTION#148/17-18

A motion was made by Trustee Moore seconded by Trustee Smith to accept the monthly Code Enforcement report as submitted. The motion carried unanimously.

STREETS

DPW Supervisor Davie informed the board that water account #0326 has refused a back flow preventer to be installed before our sewer line is cleaned. Ms. Westfall Esq. informed the board a letter to account #0326 has been sent to the Clerk Treasurer for execution.

Davie also informed the board that he is still waiting on Broome County in regards to the county donating some property to the Village for the repair of High St. mud slide.

Davie informed the board that the Clark Street project has been started. He also asked that water laterals from the shut off to the homes be addressed. The cost of this additional work if lead lines are discovered was not built into the project budget and must be addressed as DoH will not allow us to proceed with lead lines in the ground. After much discussion it was decided that the DPW would try to determine the number of lead lines before making a decision.

Davie then informed the board that the DoH had sent him paper work on Cybersecurity. New wording pertaining to cybersecurity must be added to our Security Vulnerability Self-Assessment policy. The board asked to see the letter from the DoH. Next, Pete Hathaway was asked to look into a back flow valve policy for the Village.

Davie informed the board that he had expended his sidewalk budget. Trustee Moore asked why rebar and mesh were used as the Village normally does not use these as they are too costly. Davie answered that doing sidewalks with rebar and mesh stabilizes the sidewalk from heaving etc.

MOTION#149/17-18

A motion was made by Trustee Smith seconded by Trustee Moore to authorize the purchase of a xylem pump in the amount of \$6,554.40 for the sewer plant. The motion carried unanimously.

MOTION#150/17-18

A motion was made by Trustee Smith seconded by Trustee Moore to authorize the purchase an E-One Grinder Pump for \$3680 that sits behind Schambachs. The motion carried unanimously.

Davie informed the board that the summer help person will start on Monday July 31, 2017.

FIRE

Fire Chief Rynearson informed DPW Supervisor Davie that when he closes streets he needs to inform the Broome County Emergency Services and both fire chiefs, Zacharias and Rynearson.

PRESIDENT

**VILLAGE OF DEPOSIT
DEPOSIT COMMUNITY PARK RESOLUTION**

I, Cheryl Decker, the duly qualified and acting Clerk of the Village of Deposit, New York, do hereby certify that the following resolution was adopted at the Work Session meeting of the Village Board of the Village of Deposit held on July 25, 2017 and is incorporated in the original minutes of said meeting OR on file and of record, and that said resolution has not been altered, amended or revoked and is in full force and effect.

WHEREAS, Deposit Community Park, Inc, a non- profit organization, intends to file an Environmental Protection Fund (EFP) application for funding consideration with the New York State Office of Parks, Recreation, and Historic Preservation to fund the acquisition and development of the Deposit Community Park; and

WHEREAS, a resolution of endorsement is required from the local municipality in order for Deposit Community Park, Inc. to submit this application; and

WHEREAS, the Village understands that it may be required to assume lawn maintenance, including mowing and trimming of the grass, should Deposit Community Park, Inc. dissolves or otherwise ceases to exist.

RESOLVED:

The Village of Deposit fully endorses and supports Deposit Community Park Inc.'s application to the Environmental Protection Fund to acquire and develop the proposed Deposit Community Park with a motion offered by Trustee Moore seconded by Trustee O'Connell:

Mayor Rynearson	Aye
Trustee O'Connell	Aye
Trustee Smith	Aye
Trustee Warner	Aye
Trustee Moore	Aye

Next there was much discussion on the park. Ms. Westfall the Village attorney, stated that once a park always a park and to have the property not be a park would take special legislation for alienation. If a private organization is dissolved it continues to be a park. The park is divided in two municipalities – Town of Sanford and Village of Deposit. Trustee Smith suggested we donate our 3 acres to the Town of Sanford.

FINANCE:

MOTION#151/17-18

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

General Fund	\$79,253.29
Water Fund	\$11,970.41
Sewer Fund	\$18,153.78

The motion carried unanimously.

The following resolution was offered:

RESOLUTION OF THE VILLAGE OF DEPOSIT, NEW
YORK, ADOPTED JULY 25, 2017, AMENDING THE BOND
RESOLUTION ADOPTED SEPTEMBER 22, 2015

Recitals

WHEREAS, the Board of Trustees of the Village of Deposit, in the County of Broome, New York, has heretofore duly authorized the issuance of bonds to finance the construction of various projects in connection with the Front Street Streetscape Improvement Project: including: (i) replacement and relocation of sanitary sewer lines at the estimated maximum cost of \$486,000; (ii) replacement of roadways and sidewalks, including acquisition of right-of-way, replacement of storm drains, and survey, engineering and traffic control costs at the estimated maximum cost of \$825,000, and (iii) streetscape enhancements, including lighting, crosswalks and traffic control devices at the estimated maximum cost of \$122,307, which amount was appropriated for such purpose by said Board of Trustees; and

WHEREAS, the bond resolution adopted on September 22, 2015 limited the maximum maturity of the bonds to five (5) years; and

WHEREAS, the Board of Trustees of the Village has now determined that it is in the best interests of the Village to amend said bond resolution, in part, with respect to the bonds authorized for the replacement and relocation of sanitary sewer lines at the estimated maximum cost of \$486,000, and adopt an amending bond resolution to provide for a forty year period of probable usefulness for said bonds, as authorized pursuant to Section 11.00 a. 4 of the Local Finance Law;

Now, therefore, be it

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF DEPOSIT, IN THE COUNTY OF BROOME, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Board of Trustees) AS FOLLOWS:

Section (A) The bond resolution of the Village of Deposit duly adopted by the Board of Trustees on September 22, 2015, entitled:

“Bond Resolution of the Village of Deposit, New York, adopted September 22, 2015, authorizing the construction of various projects in connection with the Front Street Streetscape improvement project, stating the estimated total cost thereof is \$1,433,307, appropriating said amount for such purposes, and authorizing the issuance of bonds in the principal amount of \$1,433,307 to finance said appropriation,”

is hereby amended, in part, with respect to the \$486,000 bonds therein authorized to finance the replacement and relocation of sanitary sewer lines, to read as follows:

RESOLUTION OF THE VILLAGE OF DEPOSIT, NEW YORK, ADOPTED SEPTEMBER 22, 2015 AND AMENDED JULY 25, 2017, AUTHORIZING THE REPLACEMENT AND RELOCATION OF SANITARY SEWER LINES, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$486,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$486,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF DEPOSIT, IN THE COUNTY OF BROOME, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Deposit, in the County of Broome, New York (herein called the "Village"), is hereby authorized to replace and relocate sanitary sewer lines. The estimated maximum cost thereof is \$486,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$486,000 to finance said appropriation and the levy and collection of taxes upon all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$486,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the "*Deposit Courier*," a newspaper having general circulation in said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village.

The adoption of the foregoing resolution was offered by Trustee Smith seconded by Trustee Moore and duly put to a vote on rtoll call, which resulted as follows:

AYES: 5

NOES: 0

This resolution was declared adopted.

RESOLUTION OF THE VILLAGE OF DEPOSIT, NEW
YORK, ADOPTED JULY 25, 2017, AMENDING THE BOND
RESOLUTION ADOPTED SEPTEMBER 22, 2015

Recitals

WHEREAS, the Board of Trustees of the Village of Deposit, in the County of Broome, New York, has heretofore duly authorized the issuance of bonds to finance the construction of various projects in connection with the Front Street Streetscape Improvement Project: including: (i) replacement and relocation of sanitary sewer lines at the estimated maximum cost of \$486,000; (ii) replacement of roadways and sidewalks, including acquisition of right-of-way, replacement of storm drains, and survey, engineering and traffic control costs at the estimated maximum cost of \$825,000, and (iii) streetscape enhancements, including lighting, crosswalks and traffic control devices at the estimated maximum cost of \$122,307, which amount was appropriated for such purpose by said Board of Trustees; and

WHEREAS, the bond resolution adopted on September 22, 2015 limited the maximum maturity of the bonds to five (5) years; and

WHEREAS, the Board of Trustees of the Village has now determined that it is in the best interests of the Village to amend said bond resolution, in part, with respect to the bonds authorized for the replacement of roadways and sidewalks, including acquisition of right-of-way, replacement of storm drains, and survey, engineering and traffic control costs at the estimated maximum cost of \$825,000, and adopt an amending bond resolution to provide for a fifteen year period of probable usefulness for said bonds, as authorized pursuant to Section 11.00 a. 20 (c) of the Local Finance Law;

Now, therefore, be it

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF DEPOSIT, IN THE COUNTY OF BROOME, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Board of Trustees) AS FOLLOWS:

Section (A) The bond resolution of the Village of Deposit duly adopted by the Board of Trustees on September 22, 2015, entitled:

“Bond Resolution of the Village of Deposit, New York, adopted September 22, 2015, authorizing the construction of various projects in connection with the Front Street Streetscape improvement project, stating the estimated total cost thereof is \$1,433,307, appropriating said amount for such purposes, and authorizing the issuance of bonds in the principal amount of \$1,433,307 to finance said appropriation,”

is hereby amended, in part, with respect to the \$825,000 bonds therein authorized to finance the replacement of roadways and sidewalks, including acquisition of right-of-way, replacement of storm drains, and survey, engineering and traffic control costs, to read as follows:

BOND RESOLUTION OF THE VILLAGE OF DEPOSIT, NEW YORK, ADOPTED SEPTEMBER 22, 2015 AND AMENDED JULY 25, 2017, AUTHORIZING THE REPLACEMENT OF ROADWAYS AND SIDEWALKS, INCLUDING ACQUISITION OF RIGHT-OF-WAY, REPLACEMENT OF STORM DRAINS, AND SURVEY, ENGINEERING AND TRAFFIC CONTROL COSTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$825,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$825,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF DEPOSIT, IN THE COUNTY OF BROOME, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Deposit, in the County of Broome, New York (herein called the "Village"), is hereby authorized to replace roadways and sidewalks, including acquisition of right-of-way, replacement of storm drains, and survey, engineering and traffic control costs. The estimated maximum cost thereof is \$825,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$825,000 to finance said appropriation and the levy and collection of taxes upon all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$825,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the object or purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital

of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the "*Deposit Courier*," a newspaper having general circulation in said Village and hereby designated the official newspaper

of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village. The adoption of the foregoing resolutions was offered by Trustee Smith seconded Trustee Moore and duly put to a vote on roll call, which resulted as follows:

AYES: 5

NAYS 0

This resolution was declared adopted.

A motion was offered by Trustee Moore seconded by Trustee O'Connell for the following resolution:

VILLAGE OF DEPOSIT RESOLUTION
RESOLUTION TO AUTHORIZE SUBMISSION OF A CONSOLIDATED FUNDING APPLICATION THROUGH THE NEW YORK MAIN STREET PROGRAM FOR DOWNTOWN DEPOSIT ALONG FRONT STREET FROM COURT STREET TO DEAN STREET.

WHEREAS, The New York Main Street (NYMS) Program was created by the Housing Trust Fund Corporation (HTFC) in 2004 to provide resources to assist New York's communities with Main Street and downtown revitalization efforts.

WHEREAS, The NYMS Program is administered by the Office of Community Renewal (OCR) under the direction of the Housing Trust Fund Corporation and through the Consolidated Funding Application process OCR has issued a Notification of Funding Availability (NOFA) for the 2017 New York Main Street Grant program; and

WHEREAS, the Village of Deposit's recently completed Comprehensive Plan recommends the Village Board pursue funding through the New York Main Street program to help support business retention and expansion efforts within the Downtown business district; and

WHEREAS, there is need in the community for funding to assist property and business owners in the renovation of commercial and residential space within the Downtown business district, and

WHEREAS, there is need in the community for funding to assist property and business owners in the renovation of commercial and residential space within the Downtown business district, and

WHEREAS, there is interest among members of the civic and cultural community to participate in the New York Main Street program (e.g., State Theatre Marque Restoration and Village Board for Streetscape Enhancements) if the Village's NYMS grant application is successful; and

WHEREAS, New York Main Street funding will help our community to implement recommendations contained with the Village's Comprehensive Plan and the further the significant investment the Village Board has made in infrastructure and streetscape enhancements along Front Street, which is the heart of Downtown.

NOW, THEREFORE, BE IT RESOLVED, the Village Board does hereby authorize the Mayor/President to sign all documents required for the grant application through the New York Main Street program;

FURTHER, BE IT RESOLVED, the Village Board does hereby authorize the Planit Main Street, Inc., to file a CFA NYMS Grant Application on behalf of the Village for Deposit.

Motioned by: Moore

Seconded by: O'Connell

All in Favor:

All

Opposed:

Hon. Robert Rynearson, Jr., Mayor aye

Bryan Moore, Trustee aye

Ronald O'Connell aye

Willis Smith aye

Harry Warner aye

July 25, 2017

MOTION#152/17-18

A motion was made by Trustee O'Connell seconded by Trustee Moore to authorize the Mayor's signature on a Short Form Agreement with Planit Main St. in the amount of \$750 to write the New York Main St. Grant on behalf of the Village. The motion carried unanimously.

RESOLUTION

Sponsored by: (Village of Deposit)

**RESOLUTION IN SUPPORT OF A PROPOSED BROOME, CHENANGO, DELAWARE FAMILY
ATV & DIRT BIKE PARK**

WHEREAS, there is a proposal to provide a safe and legal space for dirt bike and All-terrain vehicle (A TV) enthusiasts and their families to spend time together riding in the great outdoors of New York State through a Broome Chenango Delaware Family ATV & Dirt Bike Park, and

WHEREAS, the Village of Deposit understands that communities are made stronger when families have more opportunities to interact with each other in positive and constructive ways and that having those opportunities would increase with the creation of a riding park in the region.

WHEREAS, the creation of a riding park in Broome, Chenango, & Delaware counties would positively impact our region by increasing tourism and by attracting people from across the United States which will provide an economic stimulus to New York State and the local communities that surround this park through increased food sales, lodging receipts, outdoors equipment purchases, sales tax revenue, and various other sources.

WHEREAS, the Village of Deposit understands the connection between strong families and opportunities for family engagement and the creation of an A TV riding park in the region would increase those opportunities in a positive and constructive manner.

WHEREAS, the Village of Deposit also understands the importance of supporting opportunities and activities that can help combat alcohol and substance abuse by promoting positive family based activities like an ATV riding park that promote social interaction between children, young adults and adults and increase respect for our natural resources in our state forests and parks.

WHEREAS, the Village of Deposit supports activities that promote a strong and healthy community both socially and economically, and the creation of an ATV riding park would support those efforts and help with the retention of our population base, generate new job opportunities, encourage private investment and increase the use of our state's natural resources.

WHEREAS, the development of a Broome Chenango Delaware Family ATV & Dirt Bike Park supports each of those goals, and

WHEREAS, the development of a Broome Chenango Delaware Family ATV & Dirt Bike Park will also bring in substantial dollars to the state for conservation efforts, and

WHEREAS, the Village of Deposit wishes to express its support of a Broome Chenango Delaware Family ATV & Dirt Bike Park in the New York State Park System utilizing Oquaga Creek State Park, therefore be it

RESOLVED, that the Village of Deposit supports a Broome Chenango Delaware Family A TV & Dirt Bike Park at the park system centered at Oquaga Creek State Park, and be it

FURTHER RESOLVED, that the Clerk to the Village of Deposit shall forward a certified copy of the resolution that a copy of this Resolution shall be sent to Governor Andrew Cuomo, New York State Senator Frederick Akshar, New York State Assemblywoman Donna Lupardo, New York State Assemblyman Clifford Crouch and New York State Assemblyman Christopher Friend.

MOTION#153/17-18

A motion was made by Trustee Moore seconded by Trustee Smith to accept the Events Application of the Events Committee for the Annual Car Show & Cruise on September 2, 2017. The motion carried unanimously.

MOTION#154/17-18

A motion was made by Trustee O'Connell seconded by Trustee Warner to enter into executive session to discuss specific personnel. The motion carried unanimously.

MOTION#155/17-18

A motion was made by Trustee Moore seconded by Trustee Warner to come out of Executive Session. The motion carried unanimously.

MOTION#156/17-18

A motion was made by Trustee Moore seconded by Trustee Warner to adjourn at 9:01 p.m.

Respectfully Submitted: