

REGULAR SESSION OF THE VILLAGE BOARD OF TRUTEES ON DECEMBER 12, 2023 AT VILLAGE HALL 61 FRONT STREET, DEPOSIT NY AT 7:00 P.M.

PRESENT: Mayor Moore, Trustees Durning, O'Connor, Warner and Strauss, C/T Budine, DC/T Shirkey, DPW Supervisor Steve Evans, Fire Chief Ryneerson and Mike Musante .

Mayor Moore led everyone in the Pledge of Allegiance.

The Mayor opened the Public Hearing on LL#1 changing the definition of "Domestic Animals" in Chapter 140 Zoning.

Trustee O'Connor felt that the law banned cats and dogs from all areas that are not zoned agriculture. CT Budine explained that the law defines Domestic Animals as the keeping of more than 5 cats, more than 5 dogs; or any number of horses, cattle, pigeons, fowl, rabbits, sheep, goats, pigs or other customary farm animals; or beehives; or animals customarily kept in zoos; or the keeping of any animals for sale or hire, except for the sale of animals in commercial pet shops. An amount of dogs or cats under five are not defined as "Domestic Animals" and therefore allowable in areas that are not zoned agriculture.

Mayor Moore closed the hearing.

#### MOTION#213/23-24

A motion was made by Trustee Warner and seconded by Trustee Strauss to close the Public Hearing. Motion passed unanimously.

#### MOTION #214 /23-24

### **A RESOLUTION APPROVING LOCAL LAW NO. 1-2023**

At a meeting of the Village Board of the Village of Deposit, held at Village Hall, 61 Front Street, Deposit, New York on the 12<sup>th</sup> day of December, 2023, the following resolution was offered and seconded:

**WHEREAS**, the Village Board of the Village of Deposit scheduled a public hearing for December 12, 2023 at 7:00 p.m. for Local Law No. 1 of the year 2023, entitled "A Local Law Amending Section 140-4 Regarding the Definition of Domestic Animal"; and

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

**WHEREAS**, the Local Law was referred to the Village Planning Board and the Planning Board has issued a recommendation thereon; and

**WHEREAS**, the Local Law was referred to the Delaware County Planning Department pursuant to GML § 239-m and the Planning Department has issued a recommendation thereon; and

**WHEREAS**, said public hearing was duly held at Village Hall, 61 Front Street, Deposit, New York on 12th day of December, 2023 at 7:00 p.m. 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**, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act, it is determined by the Village Board that adoption of the proposed Local Law constitutes an Unlisted Action, as defined under said regulations. The Village Board has considered the possible environmental impacts of the Local Law. The adoption of said Local Law will not have a significant adverse impact on the environment and the Village Board adopts a negative declaration with respect to the Local Law; and

**WHEREAS**, the Village Board, after due deliberation, finds it in the best interest of the Village to adopt said Local Law.

**NOW, THEREFORE, BE IT RESOLVED** that the Village Board hereby adopts said local law as Local Law No. 1 of 2023 entitled “A Local Law Amending Section 140-4 Regarding the Definition of Domestic Animal”, a copy of which is attached hereto and made a part hereof; and

**BE IT FURTHER RESOLVED** the Village Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State; and

**BE IT FURTHER RESOLVED** that this resolution will take effect immediately upon filing with the Department of State.

#### **CERTIFICATION**

I, Karen Budine, do hereby certify that I am the Village Clerk of the Village of Deposit and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Village Board of the Village of Deposit at a meeting thereof held at Village Hall, 61 Front Street, Deposit, New York on the 12th day of December, 2023. Said resolution was adopted by the following roll call vote:

Mayor Moore                      Aye          

Trustee Strauss                  Aye          

Trustee Warner                  Aye          

Trustee O'Connor                Aye          

Trustee Durning                 Aye          

Dated: December 12, 2023

Motion passed unanimously.

**MOTION#215/23-24**

A motion was made by Trustee Strauss and seconded by Trustee Warner to waive the reading of the November 1, 2023 Emergency meeting, the November 14, 2023 Regular Session minutes and the November 28, 2023 Work Session minutes. Motion passed unanimously.

**MOTION#216/23-24**

A motion was made by Trustee Durning and seconded by Trustee Strauss to accept for filing the November 1, 2023 Emergency meeting, the November 14, 2023 Regular Session minutes and the November 28, 2023 Work Session minutes. Motion passed unanimously.

**MOTION#217/23-24**

A motion was made by Trustee Strauss and seconded by Trustee Warner to accept for filing the monthly Treasurer's Report. Motion passed unanimously.

**STREETS, WATER, SEWER**

DPW Supervisor Evans reported that the DPW was busy working on the street salter and equipment. There is a wiring issue on the GMC salt truck , the backhoe is at the Tow of Deposit being worked on. Supervisor Evan's wants to thank the Town of Deposit for their assistance. The crew have also been working on filling the lot next to the fire department and building the new records room at Village Hall.

Mr. Evans wanted to thank the Mayor and CEO Hathaway for getting permission to get the camper issue on Front Street taken care of.

## FIRE DEPARTMENT

Fire Chief Rynearson stated that the air bottles are on engine 211, next year more will be ordered. The fire trucks will be inspected this week. The inspection dinner will be at the Fire Station this year.

## TRUSTEES

### PRESIDENT

Mayor Moore spoke about an article Trustee O'Connor gave him regarding the uptick of ATV's on public roads. It appears to be happening all over and is not such a new problem. The Board felt that as more tickets are handed out for this the incidents of this will decrease.

The Mayor stated if the Board was ok he would sign the BC Shared services agreement for 2024.

Mayor Moore stated he needed a moment in Executive Session.

Mayor Moore went on to inform everyone that he has started to think about the steps to make the Village all Broome County. He asked the Board to please consider the pros and cons of such a move. This was prompted by the n2024-25 General Fund Budget. The tax rates are severely affected by the amount of sales tax we get from Broome County. This will result in Broome County side of the Village, taxes going down and Delaware County side of the Village, taxes increasing. He would like to have the taxpayers weigh in on how they feel about this and will contact the newspaper to get some announcements done.

Mayor Moore asked if the Board had looked at the letters from Keystone regarding the road use agreement with Bluestone Wind. Supervisor Evans has obtained a quote for repair of the damage done to Allen Street.

He updated the Board on the sale of 125 Front Street and 5 Church Street.

He also will instruct the lawyer on the next steps for the unsafe building on Front Street.

## FINANCE

### MOTION#218/23-24

A motion was made by Trustee Strauss and seconded by Trustee Durning to approve for payment vouchers on Abstract #10 as listed:

General Fund	\$ 19,094.08
Water Fund	\$ 887.48
Sewer Fund	<u>\$ 21,088.79</u>
	\$ 41,070.35

Motion passed unanimously.

### MOTION#219/23-24

A motion was made by Trustee Durning and seconded by Trustee Warner to approve the 2024 Election resolution. Motion passed unanimously.

## ELECTION RESOLUTION

2024

WHEREAS, the next Village General Election for the Officers of the Village of Deposit will be held on March 5, 2024 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 5, 2024 must register with their County Board of elections, by February 23, 2024.
2. Voting for the forthcoming Village election shall be conducted at the Village Hall, 61 Front Street, Deposit, New York. Voting shall take place on March 5, 2024 between the hours of 12:00 noon until 9:00 PM.
3. This resolution shall take effect immediately.

### MOTION#220/23-24

A motion was made by Trustee Strauss and seconded by Trustee Warner to set the Public Hearing for the 2024-25 Budgets on January 9, 2024 at 7PM. Motion passed unanimously.

### MOTION#221/23-24

A motion was made by Trustee Strauss and seconded by Trustee Warner to take \$900 from General Fund fund balance to pay for the title search of 5 Church Street and 125 Front St. Motion passed unanimously.

### MOTION#222/23-24

A motion was made by Trustee Strauss and seconded by Trustee Warner to approve November Due to Due From as follows:

From A8989.1	\$515.00	To A3620.41
From A5110.4	\$596.93	To A5182.4

Motion passed unanimously.

CT Budine stated that she has completed the first round of paperwork for the \$50,000 CDBG grant for the water system evaluation.

CT Budine stated that all the important dates are now scheduled for the Bond Closing for the Mini pumper, which is scheduled for delivery around February 5, 2024.

### GUESTS

Mike Musante wanted to thank those involved for getting the problem camper removed from Front Street. He went on to ask if in the future laws could be written in plain English to make them more easily understood. Mr. Musante finished up by say the Village is looking good.

#### MOTION#223/23-24

A motion was made by Trustee Durning and seconded by Trustee O'Connor to go into Executive Session at 7:50PM. Motion passed unanimously.

#### MOTION#224/23-24

A motion was made by Trustee Durning and seconded by Trustee Strauss to come out of Executive Session at 8:01PM. Motion passed unanimously.

#### MOTION#225/23-24

A motion was made by Trustee Warner and seconded by Trustee Strauss to draft a letter to the local sticker shops regarding operation. Motion passed unanimously.

#### MOTION#226/23-24

A motion was made by Trustee Durning and seconded by Trustee Warner to adjourn at 8:03 PM. Motion passed unanimously.

Respectfully Submitted:

Karen L. Budine  
Clerk Treasurer