

February 12, 2009

The regular meeting of the DeRuyter Town Board was held at 7:30PM on the above date in the DeRuyter Town Hall.

Present were Supervisor Degear, Clerk Wightman, Councilmen Barnes, Hathaway and Coon. Councilman Jones and Highway Superintendent Cook were absent.

Motion by Councilmen Barnes and Hathaway to accept the minutes of the January 8<sup>th</sup> meeting as presented. All in favor and carried.

**TOWN CLERK'S REPORT:**

- The monthly written report was submitted.
- Domain Direct is no longer a website host and Web.com has taken over their clients. The Town website is due for renewal in March but since Web.com has not decided exactly how to bill Domain Direct clients, we will receive the next year free (a savings of \$89.99).
- Ron Bowden is looking into repair of the gas heater in the community room.
- Ron Bowden has been called to fix the leak under the sink in the community room.

**HIGHWAY SUPERINTENDENT'S REPORT:**

- The new loader has been delivered.
- The new truck is having some warranty work done.
- Plowing/sanding.

**UNFINISHED BUSINESS:**

- DERA Diesel Retrofit tabled until Highway Superintendent Cook can be present for discussion.
- Motion by Councilmen Barnes and Hathaway to adopt the following:

**#38 RESOLVED:** That this Town Board does hereby amend resolution #32 of 2008 (Town of DeRuyter Wage Schedule) to read as follows:

<b>Title</b>	<b>Starting Wage</b>	<b>6 Months</b>	<b>1 Year</b>
HEO	Up to \$13.00	Up to \$13.50	Up to \$16.50
MEO	Up to \$12.00	Up to \$12.50	Up to \$13.75
Laborer	Up to \$10.50	Up to \$11.00	Up to \$12.25

The roll call vote was taken with the following results:

Supervisor Degear	Aye
Councilman Jones	Absent
Councilman Barnes	Aye
Councilman Hathaway	Aye
Councilman Coon	Aye

The Clerk declared the foregoing duly carried.

February 12, 2009

**NEW BUSINESS:**

- The annual Madison County, DOT Consortium pricing package has arrived. Motion by Councilmen Coon and Barnes to authorize Supervisor Degear to sign the contract with Industrial Medical Associates for drug testing requirements. All in favor and carried.
- Motion by Councilmen Coon and Hathaway to adopt:

**#39 RESOLVED: WHEREAS**, pursuant to the requirement of the New York State Alcoholic Beverage Control (ABC) Law, an applicant for a license to sell alcoholic beverages at retail, for on-premises consumption, as well as any applicant for renewal of such a license, must notify the Town Clerk of the municipality wherein the premises are located, and

**WHEREAS**, this notice is given in order that the municipality, if it so desires, may express an opinion for or against the granting of said license or renewal to the ABC Board,

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board of the Town of DeRuyter, which with respect to the application submitted by Richard Gulbin, owner/operator of the Boat House Restaurant, South Lake Road, DeRuyter, New York for a license to sell alcoholic beverages at retail for on-premises consumption, the DeRuyter Town Board does express a favorable opinion.

The roll call vote was taken with the following results:

Supervisor Degear	Aye
Councilman Jones	Absent
Councilman Barnes	Aye
Councilman Hathaway	Aye
Councilman Coon	Aye

The Clerk declared the foregoing duly carried.

- Motion by Councilmen Coon and Hathaway to adopt:

**# 40 RESOLVED: WHEREAS**; Resolution #08-03 established a building project committee granting such committee authority to oversee the renovation of the DeRuyter Town Hall, and

**WHEREAS**; This committee chooses to retain Crawford & Stearns to complete architectural and oversee all engineering work associated with the DeRuyter Town Hall renovations at a cost of \$75,900.00 to be paid from grants and donations dedicated to this project; and

**WHEREAS**; Legal counsel advises that the Town of DeRuyter along with the DeRuyter Free Library be named on the contract with Crawford & Stearns.

**NOW THEREFORE BE IT RESOLVED**; That the Town Board of the Town of DeRuyter authorizes the Supervisor to enter into an agreement with the DeRuyter Free Library and Crawford & Stearns for architectural and engineering work associated with the DeRuyter Town Hall renovations at no cost to the Town.

The roll call vote was taken with the following results:

February 12, 2009

Supervisor Degear	Aye
Councilman Jones	Absent
Councilman Barnes	Aye
Councilman Hathaway	Aye
Councilman Coon	Aye

The Clerk declared the foregoing duly carried.

- Motion by Councilmen Barnes and Hathaway to adopt:

**# 41 RESOLVED: WHEREAS;** The Town of DeRuyter is a participating employer with the New York State and Local Retirement System, and

**WHEREAS;** Being a participating employer, the Town of DeRuyter is required to establish standard work days for elected and appointed officials enrolled in the New York State and Local Retirement System.

**NOW THEREFORE BE IT RESOLVED;** That the Town Board of the Town of DeRuyter hereby establishes the standard workday of elected and appointed officials as follows:

Position	Standard Work Day	Term Begin	Term End
Supervisor	6 hours	01/1/2008	12/31/2009
Town Clerk	6 hours	01/1/2008	12/31/2009
Assessor	6 hours	10/1/2007	09/30/2013
Highway Supt.	8 hours	01/1/2008	12/31/2009
Deputy Supervisor	6 hours	01/1/2009	12/31/2009
Code Enforcement Officer	6 hours	01/1/2009	12/31/2009

**BE IT ALSO RESOLVED;** That this resolution be posted on the Town's official website for a minimum of thirty days pursuant to requirements as outlined by the Comptroller of the State of New York.

The roll call vote was taken with the following results:

Supervisor Degear	Aye
Councilman Jones	Absent
Councilman Barnes	Aye
Councilman Hathaway	Aye
Councilman Coon	Aye

The Clerk declared the foregoing duly carried.

- Motion by Councilmen Barnes and Coon to adopt:

**# 42 RESOLVED: WHEREAS,** a portion of the Reed Farm is located in the Town of DeRuyter, Madison County, and;

**WHEREAS,** the Reeds have sold their development rights to the State of New York which requires a conservation easement, and;

**WHEREAS,** the Town of DeRuyter has the option of being a co-grantee of the easement or opting out and instead asking for 3<sup>rd</sup> party right of enforcement,

February 12, 2009

**NOW, THEREFORE, BE IT RESOLVED** that the Town of DeRuyter does hereby opt out and ask for 3<sup>rd</sup> party right of enforcement.

The roll call vote was taken with the following results:

Supervisor Degear	Aye
Councilman Jones	Absent
Councilman Barnes	Aye
Councilman Hathaway	Aye
Councilman Coon	Aye

The Clerk declared the foregoing duly carried.

- Attorney Matt Neuman sent Brian Hastings (DBA Custom Made Landscaping) a breach of contract notification. Mr. Hastings was asked to advise Attorney Neuman of his ability to cure defaults, cure the snow removal defaults and provide a letter prior to this meeting. Mr. Hastings did cure the defaults and did provide a letter to that effect.

**TOWN HALL UPDATE:**

- Project update, new plans and next meeting info.

**MADISON COUNTY UPDATE:**

- Gas well issues discussed.
- Pre-Disaster Plan
- Motion by Councilors Hathaway and Coon to accept the Supervisor's statement. All in favor and carried.
- Motion by Councilors Hathaway and Coon to pay the bills as audited:

Abstract # 1001	\$140,898.38
Abstract # 1002	\$69,134.45

All in favor and carried.

- Motion by Councilors Hathaway and Coon to adjourn. All in favor and carried.

Respectfully submitted,

Rebecca Wightman  
Town Clerk