

The regular meeting of the DeRuyter Town Board was held at 7:30PM on the above date in the Genevieve D. Staley Civic Center.

Present were Supervisor Degear; Clerk Wightman; Councilmen Hathaway, Jones, Barnes and Coon; Highway Superintendent Cook; DeRuyter Free Library Director, Amy Curtis; and Delta Engineers, Architects and Land Surveyors representative, Aaron Falkenmeyer.

Mr. Falkenmeyer presented Delta Engineers, Architects, & Land Surveyors' Road Protection Plan. He outlined the three basic steps that operated the program. The cost to implement the program is \$10,000.

Amy Curtis, Director of the DeRuyter Free Library, spoke to the Board about the library's summer reading program, "Dig In To Reading" and asked if a small garden could be started on the Civic Center property for the children and their families to plant and take care of. The Board members agreed and will work with the library on the placement of the garden. The library would also like to place a bulletin board in the lobby. This idea will be investigated further as to type and placement. The third request was to allow the library to have the stairwell leading to the library painted with colorful images. The Board approves the idea but would like to know more about the final design.

Motion by Councilmen Barnes and Hathaway to accept the minutes of the January 10<sup>th</sup> meeting as presented. All in favor and carried.

**TOWN CLERK'S REPORT:**

- The regular Town Clerk/Collector reports were submitted.
- Thanks to Councilman Jones for fixing the stair railing.

**HIGHWAY SUPERINTENDENT'S REPORT:**

- The sand pile is about half gone.
- Plowing and sanding
- The Town of Lincklaen is interested in our old truck. Superintendent Cook wants to keep it until April. The Town Board is open to their offer.

**SUPERVISOR'S REPORT:**

- The regular monthly report was submitted.

**CORRESPONDENCE:**

- Ken Hammond is once again requesting the Town Board's support of the Ironman 70.3 event which will take place on June 23<sup>rd</sup>. Supervisor Degear will write a letter of support.
- NYMIR – Recommendations Report/Equipment Values: no recommendations at this time.

**OLD BUSINESS:**

- NYS DOT – no update on Dugway Road.
- Elevator Contract: Supervisor Degear contacted both Otis and ThyssenKrupp. Otis gave us two prices. One contract price is \$258.00 per month, payable annually and the second price (for less service) is \$190.00 per month, payable annually. ThyssenKrupp gave a price of \$209.07 per month, payable quarterly in advance, for a contract equal to Otis's \$258 per month contract. Madison County uses ThyssenKrupp and are happy with their service. Motion by Councilman

Barnes and Jones to accept the ThyssenKrupp Elevator Corporation's Gold Service Agreement as presented. All in favor and carried.

- Truck purchase update. The paperwork has been completed. The truck will go to Watertown soon to have the box installed.
- JCAP Grant update. The computer program has arrived but the machines need to be networked, the software needs to be installed and training completed.

**NEW BUSINESS:**

- CCAP Project proposals have been received and reviewed. Motion by Councilmen Barnes and Jones to approve the proposal submitted by Cummins Northeast for the generator (\$25,000), the proposal submitted by Bowden Plumbing & Heating for the HVAC (\$7,500), the proposal submitted by Bagnall Electric for the electrical work (\$16,885) and the proposal submitted by Ladd Construction for the carpentry work (\$8,590). All in favor and carried.
- Supervisor Degear introduced proposed Local Law # 1 of 2013 entitled "A Local Law to amend Local Law #1 of 2006". That law was entitled "A Local Law Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code". These amendments would revise the first sentence in subdivision (c) of Section 15 by changing the word "proscribed" to "prescribed"; revise two references in the last sentence in Section 15(e) from subdivision (2) of section 381 of the Executive Law to subdivision (2) of section **382** of the Executive Law; and revise the definition of "Inspector" (Section 2) from pursuant to subdivision (d) of section 4 of this local law to pursuant to subdivision (d) of section **3** of this local law.
- Supervisor Degear introduced proposed Local Law #2 of 2013 entitled "A Local Law to
- Supervisor Degear introduced proposed Local Law #3 of 2013 entitled "A Local Law to Regulate Peddlers and Solicitors".
- Public letters to the Attorney for the Town – discussion about how to handle without additional cost to the Town.
- The Madison County Board of Supervisors has passed a Resolution opposing the SAFE Act.  
Motion by Councilmen Hathaway and Jones to adopt:

**# 44 RESOLVED:** WHEREAS, the right to bear arms is guaranteed by the Second Amendment of the U.S. Constitution, as well as the Civil Rights Law of the State of New York; and

WHEREAS, the New York State Secure Ammunition and Firearms Enforcement Act of 2013, which was rushed to passage without public comment by the New York State Senate, Assembly and Governor, will have a detrimental effect on hunters, sportsmen and legal gun owners; and

WHEREAS, this legislation imposes burdensome new regulations upon law abiding gun owners and will curtail the rights of law abiding citizens of this State; and

WHEREAS, this legislation, while denying the rights of law abiding citizens, fails to address the problem of acts of violence perpetrated by criminals and those who are dangerously mentally ill; and

WHEREAS, this legislation creates an environment in the state which is hostile to gun manufacture and ownership,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of DeRuyter does hereby oppose the enactment of the New York State Secure Ammunition and Firearms Enforcement Act of 2013 because it fundamentally alters or abridges the right to keep and bear arms without addressing the problems of gun violence; and

BE IT FURTHER RESOLVED, that this Board hereby calls upon the New York State Legislature and Governor to set aside and annul this ill-conceived and poorly drafted statute which abridges the rights of law abiding citizens of the State of New York; and

BE IT FURTHER RESOLVED, Bill # A3908 was introduced in the NYS Assembly by A. Ortiz to amend the insurance law, in relation to requiring owners of firearms to obtain liability insurance,

BE IT FURTHER RESOLVED, that the Town Board of the Town of DeRuyter does hereby oppose the enactment of said Bill #A3908.

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, Senator David J. Valesky, and Assemblyman William D. Magee.

The roll call vote was taken with the following results:

Supervisor Degear	Aye
Councilman Barnes	Aye
Councilman Jones	Aye
Councilman Hathaway	Aye
Councilman Coon	Absent for this vote

The Clerk declared the foregoing duly carried.

**PUBLIC COMMENTS:** none

**OTHER BUSINESS:**

- Motion by Councilmen Barnes and Jones to adopt:  
**#46 RESOLVED:** That this Town Board does hereby replace Resolution #56 of 2012 with the following, more detailed resolution:

RESOLUTION AND  
 DECLARATION OF OFFICIAL INTENT

Lessee: Town of DeRuyter

Principal Amount Expected to Be Financed: \$145,000.00

WHEREAS, the above Lessee is a political subdivision of the state in which Lessee is located (the "State") and is duly organized and existing pursuant to the Constitution and laws of the State.



execute, and deliver such other documents relating to the Equipment Lease (including, but not limited to, escrow agreements) as the Authorized Representative deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized.

Section 4. By a written instrument signed by an Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Equipment Leases on behalf of the Lessee.

Section 5. The aggregate original principal amount of the Equipment Leases shall not exceed the Principal Amount and shall bear interest as set forth in the Equipment Leases and the Equipment Leases shall contain such options to purchase by the Lessee as set forth therein.

Section 6. The Lessee's obligations under the Equipment Leases shall be subject to annual appropriation or renewal by the Governing Body as set forth in each Equipment Lease and the Lessee's obligations under the Equipment Leases shall not constitute general obligations of the lessee or indebtedness under the Constitution or laws of the State.

Section 7. It is hereby determined that the purpose of the Project is an object or purpose described in subdivision 32 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is fifteen (15) years.

Section 8. It is hereby determined the term of the Equipment Leases authorized by this resolution will not be in excess of five (5) years.

Section 9. The Governmental Body has determined that the Project is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act (SEQR) is required.

Section 10. The Governing Body of Lessee anticipates that the Lessee may pay certain capital expenditures in connection with the Property prior to the receipt of the Lease Purchase Proceeds for the Property. The Governing Body of Lessee hereby declares the Lessee's official intent to use the Lease Purchase Proceeds to reimburse itself for Property expenditures. This section of the Resolution is adopted by the Governing Body of Lessee for the purpose of establishing compliance with the requirements of Section 1.150-2 of Treasury Regulations. This section of the resolution does not bind the Lessee to make any expenditure, incur any indebtedness, or proceed with the purchase of the Property.

Section 11. BANK QUALIFIED: LESSEE CERTIFIES THAT IT HAS DESIGNATED THIS LEASE AS A QUALIFIED TAX-EXEMPT OBLIGATION IN ACCORDANCE WITH SECTION 265(B)(3) OF THE CODE, THAT IT HAS NOT DESIGNATED MORE THAN \$10,000,000 OF ITS OBLIGATIONS AS QUALIFIED TAX-EXEMPT OBLIGATIONS IN ACCORDANCE WITH SUCH SECTION FOR THE CURRENT CALENDAR YEAR AND THAT IT REASONABLY ANTICIPATES THAT THE TOTAL AMOUNT OF TAX-EXEMPT OBLIGATIONS TO BE ISSUED BY LESSEE DURING THE CURRENT CALENDAR YEAR WILL NOT EXCEED \$10,000,000.

Section 12. The Authorized Representative is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Equipment Leases authorized by this resolution as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Code.

Section 13. This resolution is not subject to any mandatory or permissive referendum pursuant to the Local Finance Law or Section 109-b of the General Municipal Law.

Section 14. This Resolution shall take effect immediately upon its adoption and approval.

The roll call vote was taken with the following results:

Supervisor Degear	Aye
Councilman Barnes	Aye
Councilman Hathaway	Aye
Councilman Coon	Absent for this vote
Councilman Jones	Aye

The Clerk declared the foregoing duly carried.

- Motion by Councilmen Barnes and Jones to accept the Supervisor’s statement. All in favor and carried.
- Motion by Councilmen Barnes and Jones to pay the bills as audited:

Abstract #1001	\$21,254.34
Abstract #1002	\$162,525.62

All in favor and carried.

- Motion by Councilmen Barnes and Jones to adjourn. All in favor and carried.

Respectfully submitted,

Rebecca Wightman  
 Town Clerk