

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 Jones, Barnes and Hathaway. Councilman Coon and Highway Superintendent Cook were not present.

Motion by Councilmen Barnes and Hathaway to accept the minutes of the December 11th meeting as presented. All in favor and carried.

Motion by Councilmen Jones and Barnes to include abstract # 1020 for payment in the minutes of the November 6th meeting. All in favor and carried.

Motion by Councilmen Barnes and Jones to adopt the following:

1. **WHEREAS**, Public Officers Law, para. 11(2) provides that in lieu of any individual undertaking as required by law, the town board may approve the procurement of a blanket undertaking from any duly authorized corporate surety covering the officers, clerk and employees of the Town, and

WHEREAS, the Town Board approves the procurement of such coverage

THEREFORE BE IT RESOLVED; That the Town Board approves the blanket undertaking and the undertaking of the Town Clerk as to form, manner of execution, sums and sureties.

2. **RESOLVED;** That pursuant to Sec. 62 of the Town Law, the regular meetings of the Town Board of the Town of DeRuyter will be held at 7:30 pm on the second Thursday of each month.
3. **RESOLVED;** That the Cortland Standard is hereby designated as the official newspaper for the Town of DeRuyter, however special notices may be placed in the Hi, Neighbor Pennysaver as determined advisable by the Town Board.
4. **RESOLVED;** That, pursuant to Town of DeRuyter Investment Policy, Sec. 64(1) of the NYS Town Law, Sec. 10 of the NYS General Municipal Law and Sec. 107-A of the NYS Banking Law, the DeRuyter Branch of Citizen's Bank is designated the official bank for the deposit of all town monies.
5. **RESOLVED;** That the Investment Policy of the Town of DeRuyter approved on November 4, 1993 and as amended January 8, 1998, January 11, 2001, and January 10, 2008 will remain in effect for the year 2009.
6. **RESOLVED;** That the Town of DeRuyter Procurement Policy, having been reviewed will remain in effect for the year 2009.
7. **RESOLVED;** That, pursuant to Sec. 142 of the Highway Law, the Highway Superintendent is hereby empowered to spend up to \$3,000 on equipment without prior approval of the Town Board. Other than the exception of obtaining Town Board approval, compliance with the Town Procurement Policy is required.
8. **RESOLVED;** That pursuant to Sec. 118(2) of the Town Law, this Town Board authorizes the Supervisor to pay utilities, payrolls and postage prior to regular meetings.
9. **RESOLVED;** That this Town Board authorizes the Supervisor to hire a bookkeeper for the Town.
10. **RESOLVED;** That this Town Board hereby directs the Supervisor to have a summary of the annual report printed by March 1, 2009.
11. **RESOLVED;** That pursuant to Sec. 29(10) of the Town Law, this Town Board hereby directs the Town Clerk to publish a notice that the annual report has been completed and filed and is available for inspection during regular hours.
12. **RESOLVED;** That the Supervisor is designated as the Budget Officer for the year 2009.

13. **RESOLVED;** That Ed Coon is hereby appointed Deputy Supervisor for the year 2009 and that he be compensated a yearly salary of \$150.00 to be paid yearly.
14. **RESOLVED;** That the Supervisor or in his/her absence, the Deputy Supervisor, be the sole signer of checks.
15. **RESOLVED;** That Town Officials be reimbursed at a rate of \$.55 per mile when using their own vehicle to carry out Town Business.
16. **RESOLVED;** That the salaries of elected and appointed officials be the same as called for in the annual budget and that the time of payment be the same as follows:

POSITION	YEARLY SALARY	WHEN PAID
Supervisor	\$4,950.00	Monthly
Council Members (4)	\$1,450.00	Quarterly
Justice	\$5,200.00	Monthly
Justice	\$4,525.00	Quarterly
Clerk/Collector	\$19,055.00	Bi-weekly
Highway Supt.	\$37,050.00	Bi-weekly
Assessor	\$13,000.00	Monthly

17. **RESOLVED;** That vacation time for permanent or probationary full time employees be as follows:
 - 5 days upon completion of 1 full year of service
 - 10 days upon completion of 2 full year's service
 - 12 days upon completion of 5 full year's service
 - 15 days upon completion of 10 full year's service
 - 20 days upon completion of 15 full year's service

(See example page 43 of the minutes of 1987). Vacation time and pay are not to be accumulated.

BE IT FURTHER RESOLVED; That permanent or probationary full time Town employees shall accrue personal days in addition to vacation days as per the following:

- 2 days upon completion of 6 months full time employment
- 3 days upon completion of 1 full year service
- 4 days upon completion of 5 full year's service
- 5 days upon completion of 10 full year's service

Employees will be authorized to use their personal days only upon the approval of their immediate supervisor or the Town Supervisor.

18. **RESOLVED;** That this Town Board hereby adopts the following wage schedule effective January 1, 2009.

TITLE	STARTING WAGE	6 MONTHS	1 YEAR
HEO	Up to \$12.75	Up to \$13.50	Up to \$15.75
MEO	Up to \$12.25	Up to \$13.00	Up to \$13.75
LABORER	Up to \$10.35	Up to \$11.00	Up to \$12.35

- Starting salaries may vary from the above schedule at the discretion of the Highway Superintendent depending on the employees' skills and previous experience.
- Part-time employees – based on classification, includes no benefits.
- Longevity – to be paid to permanent or probationary full time employees on an Bi-weekly basis as follows:
 - After 10 years of service an additional \$200.00 per year
 - After 15 years of service an additional \$250.00 per year (\$450 total per year)
 - After 20 years of service an additional \$300.00 per year (\$750 total per year)
 - After 25 years of service an additional \$350.00 per year (\$1,100 total per year)**Note: Longevity will not affect overtime pay.

19. **RESOLVED;** That this Town Board hereby establishes a Health Insurance Buyout option for those Town employees eligible for health insurance for the year of 2009, and

BE IT FURTHER RESOLVED; that the monetary award for anyone electing not to participate in the Health Insurance Program will not exceed three thousand, one hundred, and twenty dollars (\$3,120.00) in any one year period between January 1 and December 31, and

BE IT FURTHER RESOLVED; that the payment will be made as follows:

- One half of the amount (1,560.00) will be made on the last payday in June and the other half on the last payday in December. The employee must be employed continuously from January 1 until June 30 to be eligible for the first payment. Employment must remain continuous from July 1 through December 31 to be eligible for the remaining payment. The employee will not be eligible for any payment if their employment terminates for any reason during the six month period prior to the next scheduled payment.
 - Any employee that is eligible for this program will receive a pro-rated amount for any continuous employment that begins during the established six month increment as established above.
20. **RESOLVED;** That, having been appointed to the position of Deputy Town Clerk by the Town Clerk (pursuant to Sec. 30(10) of the Town Law) this Town Board authorizes Sandra Cirbus to perform the deputy duties as required by the Town Clerk and that she be compensated the yearly salary of \$2125.00 to be paid quarterly.

BE IT FURTHER RESOLVED; That, having been appointed to the position of Deputy Registrar of Vital Statistics by the Town Clerk (pursuant to Sec. 30(10) of the Town Law) this Town Board authorizes Sandra Cirbus to perform the deputy duties and that she be compensated the yearly salary of \$500.00 to be paid yearly.

21. **RESOLVED;** That this Town Board hereby sets the fee for the Second Notice Fee for Town and County Real Property Taxes at \$2.00
22. **RESOLVED;** that this Town Board hereby sets the fee for a marriage registration at \$10.00
23. **RESOLVED;** That Roger Cook is hereby appointed to the position of Town Codes Enforcement Officer to include NY State Uniform Building and Fire Code Inspection duties and Town Sanitary Enforcement Officer duties effective January 1, 2009 with an annual salary of \$9,000.00 to be paid monthly.

24. **RESOLVED;** That this Town Board hereby approves the following fee schedule to be implemented by the Codes Enforcement Officer in the administration of the Town's Building Permit Program and Sanitation Ordinance:

Special Permit	\$50.00
Variance Application	\$50.00
Application for Modification of Existing Septic System	\$35.00
Application for Construction of New Septic System	\$60.00
Building Permit	\$15.00 plus \$3.50 per 100 sq. ft. plus \$35.00 per inspection (for uninhabitable buildings \$15.00 plus \$1.50 per sq. ft.)
Wood Burning Device Permit/Inspection	\$35.00
Swimming Pool Permit/Inspection	\$50.00
Temporary Certificate of Occupancy	\$100.00
Septic System Dye Test	\$60.00
Demolition Permit	\$35.00

Renewing permits: In the event that a building permit must be renewed, a fee equal to 50% of the original building permit will be charged prior to re-issuance of the permit.

In the event that an application for a building permit is not approved, the applicant shall be entitled to a refund of 50% of the fee paid, provided no work has commenced. If work has commenced and that application is not approved, the fees paid shall not be refunded.

25. **RESOLVED;** That this Town Board does hereby appoint Janet Toolan to the position of Dog Control Officer for the Town of DeRuyter and she will be compensated a yearly salary of \$2,270.00 to be paid monthly.
26. **RESOLVED;** That this Town Board does hereby give authority to the Supervisor to enter into an agreement with Madison County for contracted dog shelter.
27. **RESOLVED;** That this Town Board hereby sets the fee for a summons received for harboring an unlicensed dog at \$25.00
28. **RESOLVED;** That this Town Board hereby instructs the Town Clerk to collect a \$10.00 redemption fee for the first pick-up of a dog by the D.C.O., \$20.00 for the second pick-up and \$30.00 for the first 24 hours of the third pick-up within one year plus an additional \$3.00 for each additional 24 hours the dog is confined.
29. **RESOLVED;** That this Town Board has audited the books of the Clerk/Collector and Justice Fox.
30. **RESOLVED;** That this Town Board hereby designates Matthew Neuman of Reihlman, Shafer & Shafer as the attorney for the Town.
31. **RESOLVED;** That Jackie Rice is hereby designated part-time (less than 15 hrs. per week) Town Hall custodian at \$13.00 per hour.
32. **RESOLVED;** That this Town Board does hereby re-appoint Russell Smith to the Zoning Board of Appeals with a term of 1/1/2009 – 12/31/2013
33. **RESOLVED;** That this Town Board does hereby re-appoint Jesse Ryder to the Planning Board with a term of 1/1/2009 – 12/31/2013
34. **RESOLVED;** That this Town Board does hereby re-appoint Barbara Barnes to the Assessment Review Board with a term of 1/1/2009 – 12/31/2014

35. **RESOLVED;** that Brian Hastings, DBA Custom Made Landscaping, will perform the grounds maintenance and mowing in all cemeteries in the Town of DeRuyter as required by the provisions of Article 17 (par. 291) NY State Town Law; and

BE IT FURTHER RESOLVED; That a list of subject cemeteries that fall under the purview of the above stated law will be maintained by the Town Highway Superintendent ; and

BE IT FURTHER RESOLVED; That Custom Made Landscaping will also mow the grass areas on the town property that surround the Town Hall pursuant to the contract between Custom Made Landscaping and the Town of DeRuyter; and

BE IT FURTHER RESOLVED; That Custom Made Landscaping will also be responsible for snow removal from the sidewalks on the Town Hall property, and walkways on the Utica Street Bridge (Route 13) in the Village of DeRuyter pursuant to the contract between Custom Made Landscaping and the Town of DeRuyter

The roll call vote was taken with the following results:

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

The Clerk declared the foregoing duly carried.

TOWN CLERK'S REPORT:

- The monthly written report for December was submitted.

HIGHWAY SUPERINTENDENT'S REPORT:

- Mechanical problems with Freightliner continue. Holding on payment until corrected.
- Contacting sand suppliers as more is needed to complete the winter season.
- Thank you from the Gold and Silver Club for sanding parking area.
- Madison County is evaluating the idea of performing some mechanical repairs for Town plow vehicles in order to save towns money.

UNFINISHED BUSINESS:

- Review of Fire Contract
- Review of Ambulance Contract
- Review of Lawn & Snow Contract

NEW BUSINESS:

- Motion by Councilmen Hathaway and Barnes to make the following year-end transfers:

2008 YEAR END TRANSFERS

GENERAL FUND TOWNWIDE (A)

ACCOUNT	ACCOUNT DESCRIPTION	INCREASE	COMMENTS/NOTES
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DeRuyter Town Board Meeting
January 8, 2009

A-1410.4	TOWN CLERK CONTR	\$	270.00	
A-1620.1	TOWN HALL - SALARIES	\$	1,065.00	Shoveling
A-7110.1	PARKS - MOWING	\$	1,470.00	
A-8810.1	CEMETERIES - MOWING	\$	1,125.00	
A-9030.8	SOCIAL SECURITY	\$	203.00	
TOTAL INCREASES			\$ 4,133.00	

DECREASE

A1410.2	TOWN CLERK EQUIP	\$	(270.00)
A-1620.4	TOWN HALL CONTRACTUAL	\$	(2,000.00)
A-1910.4	INSURANCE	\$	(800.00)
A-1990.4	CONTINGENT ACCOUNT	\$	(600.00)
A-9060.8	HEALTH INSURANCE	\$	(463.00)
TOTAL DECREASES			\$ (4,133.00)

GENERAL FUND PART TOWN (B)

ACCOUNT	ACCOUNT DESCRIPTION	INCREASE	COMMENTS/NOTES
B9030.8	SOCIAL SECURITY	\$ 20.00	

DECREASE

B-1990.4	CONTINGENT	\$ (20.00)
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HIGHWAY TOWNWIDE (DA)

ACCOUNT	ACCOUNT DESCRIPTION	INCREASE	COMMENTS/NOTES
DA-5130.4	MACHINERY REPAIR/PARTS	\$ 6,673.00	
DA-5142.1	WINTER SALARIES	\$ 1,870.00	
DA-5142.4	WINTER CONTRACTUAL	\$ 8,187.00	
DA-9030.8	SOCIAL SECURITY	\$ 90.00	
TOTAL INCREASES			\$ 16,820.00

DECREASE

DA-5120.4	BRIDGES	\$ (2,000.00)
DA-5130.2	MACHINERY	\$ (2,100.00)

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DA-9010.8	RETIREMENT	\$	(1,500.00)
DA-9050.8	UNEMP INSURANCE	\$	(320.00)
DA-9060.8	HEALTH INSURANCE	\$	(3,400.00)
TOTAL DECREASES		\$	(9,320.00)

BALANCE OF \$7,500 TO COME FROM APPROPRIATED FUND BALANCE (DA599)

HIGHWAY PARTTOWN (DB)			
ACCOUNT	ACCOUNT DESCRIPTION	INCREASE	COMMENTS/NOTES
DB-5110.1	ROADS SALARIES	\$	2,646.00
DB-9030.8	SOCIAL SECUIRTY	\$	76.00
TOTAL INCREASES		\$	2,722.00
<u>DECREASE</u>			
DB-5110.4	ROAD CONTRACTUAL	\$	(2,722.00)
TOTAL DECREASES		\$	(2,722.00)

All in favor and carried.

- Following further discussion, motion by Councilman Barnes and Hathaway to adopt:

#36 RESOLVED: WHEREAS, the Village of DeRuyter requested an increase of \$28,500 in the Fire Protection Contract between the Town of DeRuyter and the Village of DeRuyter, and;

WHEREAS, a public hearing was held by the Town of DeRuyter as is required by New York State Law, and

WHEREAS, after said public hearing, this Town Board did unanimously approve said increase;

NOW, THEREFORE, BE IT RESOLVED, that this Town Board does hereby direct the Town Supervisor to sign the contract.

The roll call vote was taken with the following results:

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

The Clerk declared the foregoing duly carried.

- Motion by Councilmen Barnes and Jones to adopt the following:

#37 RESOLVED: WHEREAS, this Town Board has reviewed the contract between the Town of DeRuyter and Smith's Ambulance Service,

NOW, THEREFORE BE IT RESOLVED, that the Town Supervisor is hereby directed to sign said contract.

The roll call vote was taken with the following results:

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

Councilman Jones	Aye
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The Clerk declared the foregoing duly carried.

- CHIPs funding will be cut approximately 20%.

TOWN HALL UPDATE:

- No activity.

MADISON COUNTY UPDATE:

- Park Strategies was retained as Legislative Consult for 2009
- Early stages of formation of Southern Madison County Caucus to address issues relevant to the southern end of the county.
- New Committee Assignments. Supervisor Degear now chairs the Building and Grounds Committee and sits on the Public Works Committee, the Native American Affairs Committee, the Administration and Oversight Committee and the Public Utilities Committee.
- Motion by Councilors Hathaway and Jones to accept the Supervisor's statement. All in favor and carried.
- Motion by Councilors Hathaway and Jones to pay the bills as audited:

Abstract # 1023	\$20,129.44
Abstract # 1024	\$12,371.12
Abstract # 1000 (2009)	\$7,590.72

All in favor and carried.

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

Respectfully submitted,

Rebecca Wightman
Town Clerk