

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

Present were Supervisor Degear, Clerk Wightman, Councilmen Jones, Barnes, Coon and Hathaway, Highway Superintendent Cook, Martha Conway and 3 visitors from DeRuyter Central School’s government class.

Motion by Councilmen Coon and Jones to adopt the following:

#1 RESOLVED: 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.

The roll call vote was taken with the following results:

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

The Clerk declared the foregoing duly carried.

Motion by Councilmen Hathaway and Jones to adopt:

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 with the exception of the month of August which will be held on the third Thursday at 7:30PM and the month of November which will be held on the first Tuesday at 7:30PM.

The roll call vote was taken with the following results:

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

The Clerk declared the foregoing duly carried.

Motion by Councilmen Barnes and Coon to review all of the organizational resolutions and vote on all of them at once rather than voting on each one individually. All in favor and carried.

#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 and/or the Madison County Courier 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 2011.

#6 RESOLVED: That the Town of DeRuyter Procurement Policy, having been reviewed will remain in effect for the year 2011.

#7 RESOLVED: That the Town of DeRuyter Workplace Violence Policy, having been reviewed will remain in effect for the year 2011.

#8 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.

#9 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.

#10 RESOLVED: That this Town Board authorizes the Supervisor to hire a bookkeeper for the Town.

#11 RESOLVED: That this Town Board hereby directs the Supervisor to have a summary of the annual report printed by March 1, 2011.

#12 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.

#13 RESOLVED: That the Supervisor is designated as the Budget Officer for the year 2011.

#14 RESOLVED: That Ed Coon is hereby appointed Deputy Supervisor for the year 2010 and that he be compensated a yearly salary of \$150.00 to be paid yearly.

#15 RESOLVED: That the Supervisor or in his/her absence, the Deputy Supervisor, be the sole signer of checks.

#16 RESOLVED: That Town Officials be reimbursed at a rate of \$.51 per mile when using their own vehicle to carry out Town Business.

#17 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	\$5,510.00	Monthly
Justice	\$4,800.00	Monthly
Clerk/Collector	\$20,205.00	Bi-weekly
Highway Supt.	\$39,345.00	Bi-weekly
Assessor	\$13,800.00	Monthly

#18 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.

#19 RESOLVED: That this Town Board hereby adopts the following wage schedule effective January 1, 2010.

TITLE	STARTING WAGE	6 MONTHS	1 YEAR
HEO	Up to \$12.75	Up to \$14.50	Up to \$17.50
MEO	Up to \$12.25	Up to \$13.50	Up to \$14.75
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 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.

#20 RESOLVED: That this Town Board hereby establishes a Health Insurance Buyout option for those Town employees eligible for health insurance for the year of 2011, 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.

#21 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 \$2,190.00 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 \$75.00 to be paid yearly.

#22 RESOLVED: That this Town Board hereby sets the fee for the Second Notice Fee for Town and County Real Property Taxes at \$2.00.

#23 RESOLVED: that this Town Board hereby sets the fee for a marriage registration at \$10.00.

#24 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, 2011 with an annual salary of \$9,535.00 to be paid monthly.

#25 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.

#26 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 \$2,410.00.

#27 RESOLVED: That, pursuant to Local Law #3 of 2010, this Town Board does hereby set dog licensing fees as follows:

Local Fee	\$8.00
County Fee	\$1.00
State Fee	\$1.00
State additional fee for unspayed/unneutered	\$3.00
Town additional fee for unspayed/unneutered	\$3.00

#28 RESOLVED: That this Town Board sets the fee for a replacement dog identification tag at \$3.00.

#29 RESOLVED: That this Town Board does hereby give authority to the Supervisor to enter into an agreement with Madison County for contracted dog shelter.

#30 RESOLVED: That this Town Board hereby sets the fee for a summons received for harboring an unlicensed dog at \$25.00.

#31 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.

#32 RESOLVED: That this Town Board has audited the books of the Clerk/Collector, Supervisor, Justice Roller and Justice Fox.

#33 RESOLVED: That this Town Board hereby designates Matthew Neuman of Reihlman, Shafer & Shafer as the attorney for the Town.

#34 RESOLVED: That Jackie Rice is hereby designated part-time (less than 15 hrs. per week) Town Hall custodian at \$13.39 per hour.

#35 RESOLVED: That this Town Board does hereby re-appoint Nancy Craft to the Zoning Board of Appeals with a term of 1/1/2011 – 12/31/2014.

#36 RESOLVED: That this Town Board does hereby re-appoint Michael Curran to the Planning Board with a term of 1/1/2011 – 12/31/2015.

#37 RESOLVED: That this Town Board does hereby re-appoint Sam Fuller to the Assessment Review Board with a term of 10/1/2011 – 9/30/2016.

#38 RESOLVED: WHEREAS, Amy Calhoun was appointed to the Assessment Review Board to fill a vacant position previously held by John Laury with a term of 9/11/2003 – 9/30/2008, and **WHEREAS,** this initial term should have been 9/11/2003 – 9/30/2007, and

WHEREAS, Amy Calhoun was mistakenly re-appointed with a term of 1/1/2008 – 12/31/2013,
 and
WHEREAS, this re-appointment term should have been 10/1/2007 – 9/30/2012,
NOW, THEREFORE BE IT RESOLVED, that this Town Board sets the term of Amy Calhoun on the
 Assessment Review Board to 10/1/2007 – 9/30/2012.

#39 RESOLVED: WHEREAS a vacancy exists on the Assessment Review Board for the position
 previously held by Marcia Ryder,
NOW, THEREFORE BE IT RESOLVED, that this Town Board does hereby appoint Fay Sorrells to
 the Assessment Review Board filling this vacancy with a term of 1/13/2011 – 9/30/2015.

#40 RESOLVED: that Richard Eldridge, 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 Richard Eldridge will also mow the grass areas on the town
 property that surround the Town Hall pursuant to the contract between Richard Eldridge and
 the Town of DeRuyter; and

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

#41 RESOLVED: WHEREAS, the Board of Supervisors of Madison County adopted Resolution No.
 464-10 on December 7, 2010 designating the improved roads of the County Road System of the
 County upon which snow and ice removal should be performed, and

WHEREAS, the County Superintendent of Highways was authorized to enter into
 agreements with the Town for the aforementioned purpose starting January 1, 2011 through April
 30, 2011 at rates specified in the Agreement,

NOW, THEREFORE BE IT RESOLVED, that the Town Superintendent of Highways of the
 Town of DeRuyter, Madison County be and hereby is authorized and directed to enter into an
 agreement with the County of Madison to perform snow and ice removal upon the improved
 County Road System as per attached Agreement.

The roll call vote was taken for Resolutions #3 - 41 with the following results:

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

The Clerk declared the foregoing duly carried.

Motion by Councilmen Coon and Jones to accept the minutes of the December 9th meeting as presented. All in favor and carried.

HIGHWAY SUPERINTENDENT'S REPORT: Highway Superintendent Cook could not attend the meeting due to continuing plowing and sanding operations but sent a report indicating the usual seasonal activities.

TOWN CLERK'S REPORT:

- Monthly written report for December.
- Tax Collection has begun.

SUPERVISOR'S REPORT:

- Monthly written statement.
- Conversation with Senator Valesky concerning tax cap and its impact on local government.

UNFINISHED BUSINESS:

- Moore Tire Property – Jim Moore contacted Supervisor Degear to inform him that they will be putting the property on the market for \$130,000 but wanted to give the Town first chance at purchasing the property. Our purchase contract was reviewed and following further discussion, motion by Councilmen Jones and Barnes to adopt:

#42 RESOLVED: The Town Board of the Town of DeRuyter duly convened in regular session, does hereby resolve pursuant to the provisions of Section 6-c of the General Municipal Law of the State of New York, that the Town Supervisor of the Town of DeRuyter be and hereby is authorized and directed to sign a purchase contract and to appropriate from the Capital Reserve Fund (established by resolution dated December 26, 1996) to finance the cost of construction of a Town Highway Building(s) of the Town of DeRuyter to the Buildings contractual expense item (budget item DA5132.2) in the Annual Budget for the year 2011, the sum of one hundred eighty thousand and no/100 dollars(\$180,000.00) of the principal and accumulated interest in said Reserve Fund, being the sum of \$130,000.00 to purchase the property located at Route 13 in the Town of DeRuyter, being a part of Tax Parcel No. 206.6-1-2, as depicted on the attached map, and the sum of \$50,000.00 to engage the apparent lowest qualified bidders to prepare certain upgrades, including floors, doors and minor adjustments to the office area and any other changes as may be required by Department of Labor or to otherwise make the building habitable and code complaint for its intended use. This resolution shall be subject to a permissive referendum as permitted by law.

The roll call vote was taken with the following results:

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

The Clerk declared the foregoing duly carried.

- Town Hall Community Development Fund – Following a discussion, motion by Councilmen Hathaway and Jones to adopt:
#43 RESOLVED: That this Town Board does hereby appropriate \$50,000 of Community Development Fund Balance (CD599) to increase estimated expenditures CD1620.2 for expenses at the Town Hall.

The roll call vote was taken with the following results:

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

The Clerk declared the foregoing duly carried.

NEW BUSINESS:

- Following a discussion of the contract with Smith Ambulance Service, motion by Councilmen Barnes and Hathaway to authorize the Town Supervisor to sign said contract. All in favor and carried.
- Richard Gulbin, owner of the Boat House Restaurant has notified the Town Clerk of his intent to renew his license to sell alcoholic beverages. The Clerk has notified the Codes Enforcement Officer and has received no objections.
- The Village of DeRuyter is interested in purchasing the Town’s backhoe. Motion by Councilmen Barnes and Coon to table this discussion until next month when Highway Superintendent Cook can be a part of the discussion.
- The Tioughnioga Winter Carnival update and schedule was presented.
- Following a discussion of year end line item balances, motion by Councilmen Barnes and Coon to adopt the following:

#44 RESOLVED: That this Town Board does hereby authorize the following year end transfers:

GENERAL FUND TOWNWIDE (A)		
ACCOUNT	ACCOUNT DESCRIPTION	INCREASE
A-1220.4	SUPV CONTR	\$ 365.00
A-1410.4	CLERK CONTR	\$ 825.00
A-1460.4	RECORDS MNGMT	\$ 60.00
A-5010.4	SUPT CONTR	\$ 372.00
A-5132.4	GARAGE CONTR	\$ 574.00
A-9010.8	STATE RETIREMENT	\$ 1,000.00
A-9040.8	WORKER'S COMP	\$ 359.00
A-9060.8	HOSPITAL INSUANCE	\$ 571.00
TOTAL INCREASES		\$ 4,126.00
DECREASE		
A-1620.4	TOWN HAL CONTR	\$ (4,126.00)
TOTAL DECREASES		\$ (4,126.00)

GENERAL FUND PART TOWN (B)		
ACCOUNT	ACCOUNT DESCRIPTION	INCREASE
B-1420.4	ATTORNEY	\$ 632.00
B-3310.4	ROAD SIGNS	\$ 880.00
TOTAL INCREASES		\$ 1,512.00
DECREASE		
B-1990.4	CONTINGENT	\$ (500.00)
B-8010.4	ZONING	\$ (451.00)
TOTAL DECREASES		\$ (951.00)

INCREASE APPROPRIATED FUND BALANCE (B599) BY \$561.00

HIGHWAY TOWNWIDE (DA)

ACCOUNT	ACCOUNT DESCRIPTION	INCREASE
DA-5130.4	MACHINERY REPAIR/PARTS	\$ 1,261.00
DA-5142.1	SNOW SALARIES	\$ 684.00
DA-5142.4	SNOW CONTR	\$ 2,958.00
DA-9040.8	WORKER'S COMP	\$ 200.00
DA-9060.8	HOPS INS	\$ 2,173.00
TOTAL INCREASES		\$ 7,276.00

DECREASE

DA-5120.4	BRIDGES	\$ (1,000.00)
TOTAL DECREASES		\$ (1,000.00)

INCREASE APPROPRIATED FUND BALANCE (DA599) BY \$6276.00

HIGHWAY PARTTOWN (DB)

ACCOUNT	ACCOUNT DESCRIPTION	INCREASE
DB-5112.2	CHIPS	\$ 4,081.00
DB-9010.8	STATE RET	\$ 186.00
DB-9040.8	WORKERS COMP	\$ 200.00
TOTAL INCREASES		\$ 4,467.00

DECREASE

DB-5110.4	ROAD CONTRACTUAL	\$ (4,467.00)
TOTAL DECREASES		\$ (4,467.00)

The roll call vote was taken with the following results:

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

The Clerk declared the foregoing duly carried.

TOWN HALL UPDATE:

- Bathroom flooring and walls on the Town floor is almost complete.
- Painting has started.
- Staircases replaced.
- Staircase to 2nd floor repaired.
- Ron Bowden working on heating in basement.
- Madison County inmates cleaning.

MADISON COUNTY UPDATE:

- Supreme Court case update.
- Motion by Councilmen Coon and Jones to accept the Supervisor's Statement. All in favor and carried.
- Motion by Councilmen Coon and Jones to pay the bills as audited:

Abstract # 1023	\$20,714.44
Abstract # 1024	\$20,561.93
Abstract # 1000	\$15,598.05

All in favor and carried.

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

Respectfully submitted,

Rebecca Wightman
 Town Clerk