The Organizational 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, Highway Superintendent Cook, Councilmen Jones, Hathaway and Barnes, Shea Skeele, Zack Fish and Derrick Fellows. Councilman Coon was absent.

Motion by Councilmen Jones and Barnes to accept the minutes of the December 20th meeting as presented. All in favor and carried.

TOWN CLERK'S REPORT:

The regular written monthly report was submitted as was the tax collection report.

HIGHWAY SUPERINTENDENT'S REPORT:

- Plowing and sanding
- The new truck is in Utica, where it will stay until it is taken to Watertown to have the box installed in April or May.
- The newer International had to be repaired, hopefully warranty work under emissions.

SUPERVISOR'S REPORT:

The amount for the contingency line of the budget was mistakenly put on the wrong line.

CORRESPONDENCE:

Letter from Thomas Whitmarsh concerning natural gas development.

OLD BUSINESS:

- No response from NYS Department of Transportation regarding a reduced speed limit on Dugway Road.
- Library Agreement completed and on file.
- SEI Court Program Nancy Haws will be helping to network the computers for the Justices.
- Truck purchase The paperwork from First Niagara is in the hands of the Town Attorney.

NEW BUSINESS:

- Board Audits: Town Clerk, Courts and Bookkeeper
- Policy Reviews: The Investment Policy, the Procurement Policy and the Workplace Violence Policy were all reviewed.
- Motion by Councilmen Barnes and Jones to adopt the following organizational resolutions:

#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.

#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 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 2013.

#6 RESOLVED: That the Town of DeRuyter Procurement Policy, having been reviewed will remain in effect for the year 2013.

#7 RESOLVED: That the Town of DeRuyter Workplace Violence Policy, having been reviewed will remain in effect for the year 2013.

#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, 2013.

#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 2013.

#14 RESOLVED: That Ed Coon is hereby appointed Deputy Supervisor for the year 2013 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 \$.565 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 | \$5,250.00 | Monthly |
| Council Members (4) | \$1,500.00 | Quarterly |
| Justice | \$5,700.00 | Monthly |
| Justice | \$5,000.00 | Quarterly |
| Clerk/Collector | \$21,022.00 | Bi-weekly |
| Highway Supt. | \$40,937.00 | Bi-weekly |
| Assessor | \$14,330.00 | 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, 2012.

| TITLE | STARTING WAGE | 6 MONTHS | 1 YEAR |
|---------|---------------|---------------|---------------|
| HEO | Up to \$12.75 | Up to \$14.50 | Up to \$17.75 |
| MEO | Up to \$12.25 | Up to \$13.50 | Up to \$15.50 |
| LABORER | Up to \$10.35 | Up to \$11.00 | Up to \$12.35 |

- Ø Starting salaries may vary from the above schedule at the discretion of the Highway Superintendent depending on the employees' skills and previous experience.
- Ø Part-time employees based on classification, includes no benefits.
- Ø 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)

#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 2013, and

BE IT FURTHER RESOLVED; that the monetary award for anyone electing not to participate in the Health Insurance Program will not exceed four thousand dollars (\$4,000.00) 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 (\$2,000.00) 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 Rebecca Wightman be appointed to the position of Registrar of Vital Statistics for the Town of DeRuyter for a one year term (1/1/2013 - 12/31/2013).

#22 RESOLVED: That Judy Brown be appointed to the position of Deputy Registrar of Vital Statistics for the Town of DeRuyter for a one year term (1/1/2013 - 12/31/2013).

#23 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) and Deputy Registrar, this Town Board

^{**}Note: Longevity will not affect overtime pay.

authorizes Judy Brown to perform the deputy duties as required by the Town Clerk/Registrar and that she be compensated the hourly salary of \$12.24 to be paid quarterly.

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

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

#26 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, 2013 with an annual salary of \$9,900.00 to be paid monthly.

#27 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 | \$35.00 |
| System | |
| Application for Construction of New Septic | \$60.00 |
| System | |
| 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.

#28 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 \$2,500.00.

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

| Local Fee | \$9.00 |
|--|--------|
| County Fee | \$0.00 |
| State Fee | \$1.00 |
| State additional fee for unspayed/unneutered | \$3.00 |
| Town additional fee for unspayed/unneutered | \$3.00 |

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

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

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

#33 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.

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

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

#36 RESOLVED: That this Town Board does hereby re-appoint Laura Hammond to the Zoning Board of Appeals with a term of 1/1/2013 - 12/31/2017.

#37 RESOLVED: That this Town Board does hereby re-appoint Mark Haws to the Planning Board with a term of 1/1/2013 - 12/31/2017.

#38 RESOLVED: That this Town Board does hereby appoint the Town Supervisor to act as ADA Coordinator.

#39 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.

The roll call vote was taken for Resolutions #1 - 39 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.

2012 Budget Modifications: Motion by Councilmen Barnes and Hathaway to adopt:

#40 RESOLVED: That this Town Board does hereby authorize the following year end transfers for 2012 and to increase appropriated fund balance (CM599) to increase estimated expenditures (CM960) for transfer to general fund to reimburse it for cemetery mowing for 2011 and 2012 (\$500.00 each year);

2012 YEAR END TRANSFERS

| GENERAL FUND TOWNWIDE (A) | | | |
|---------------------------|---------------------|--------|------------|
| ACCOUNT | ACCOUNT DESCRIPTION | IN | CREASE |
| A-1220.4 | SUPV CONTR | \$ | 512.00 |
| A-1330.42 | TAX COLLECTOR | \$ | 250.00 |
| A-1330.45 | TAX COLLECTOR | \$ | 193.00 |
| A-1410.4 | CLERK CONTR | \$ | 166.00 |
| A-1620.43 | TOWN HALL CONTR | \$ | 1,158.00 |
| A-1660.4 | STOREROOM | \$ | 237.00 |
| A-1910.4 | INSURANCE | \$ | 133.00 |
| A-5132.4 | GARAGE | \$ | 673.00 |
| A-7110.4 | _ PARKS | \$ | 500.00 |
| | | \$ | |
| A-9010.8 | STATE RETIREMENT | 269.00 | |
| | TOTAL INCREASES | \$ | 4,091.00 |
| | | | |
| | | DE | CREASE |
| A-1990.4 | CONTINGENT | \$ | (1,500.00) |
| A-3510.4 | DOG CONTROL CONTR | \$ | (454.00) |

| A-5010.4 | SUPT CONTR | \$ | (237.00) |
|------------|------------------------|---------------|---------------|
| A-9030.8 | SOC SEC | \$ | (1,250.00) |
| A-9060.8 | MEDICAL INSURANCE | \$ \$ | (600.00) |
| A-9055.8 | DISABILITY | \$ (50.00) | |
| | TOTAL DECREASES | \$ | (4,091.00) |
| GENERAL FU | IND PART TOWN (B) | | |
| ACCOUNT | ACCOUNT DESCRIPTION | INC | CREASE |
| | | | |
| B-3310.4 | ROAD SIGNS | \$ | 60.00 |
| B-4020.4 | REGISTRAR CONTR | \$ | 40.00 |
| | TOTAL INCREASES | \$ | 100.00 |
| | | | |
| | | DE | CREASE |
| B-1990.4 | CONTINGENT | \$ | (100.00) |
| | TOTAL DECREASES | \$ | (100.00) |
| HIGHWAY TO | WNWIDE (DA) | | |
| ACCOUNT | ACCOUNT DESCRIPTION | INCRE | ASE |
| DA-5130.4 | MACHINERY | \$ | 4,490.00 |
| | TOTAL INCREASES | \$ | 4,490.00 |
| | | DF | <u>CREASE</u> |
| | | <u> </u> | <u> </u> |
| DA-5142.4 | SNOW CONTRACTUAL | \$ | (4,490.00) |
| | TOTAL DECREASES | \$ | (4,490.00) |
| CEMETERY R | ESERVE (CM) | | |
| ACCOUNT | ACCOUNT DESCRIPTION | INCRE | ASE |
| CM-9901.9 | TRANSFER TO OTHER FUND | \$ | 1,000.00 |

| The roll | call vote was | taken with | n the following | results. |
|-----------|---------------|------------|-----------------|----------|
| 1116 1011 | call vote was | iantii wii | i die ionowing | resuits. |

| 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 Jones and Barnes to adopt:

#41 RESOLVED: WHEREAS, on September 13, 2012, the Town Board passed Resolution #47 authorizing the use of funds from the Highway Building Reserve not to exceed \$10,000 to be used for a predemolition survey and other costs associated with the demolition of the old highway garage, and,

WHEREAS, it was advertised that such expenditures would be subject to permissive referendum, and

WHEREAS, the 30 day deadline passed with no one requesting a referendum, THEREFORE, BE IT RESOLVED that the 2013 Town of DeRuyter Budget is amended to appropriate \$10,000 of Highway Fund Building Reserve (DA511) to increase highway fund estimated expenditures (DA960) and line item DA5132.2 by \$10,000.

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 Hathaway and Barnes to adopt:

#42 RESOLVED: WHEREAS, the Tromptown Historical Society requested that since the position of Town Historian is vacant, that the salary budgeted by this Town Board for the position of Historian be directed to said Historical Society, and;

WHEREAS, at the December 20, 2012 meeting of this Town Board, Councilmen Barnes and Hathaway made a motion to authorizing a one-time extra appropriation in the amount of \$50.00 (the total Historian salary line) to the Tromptown Historical Society;

NOW, THEREFORE, BE IT RESOLVED, that this Town Board does hereby amend the 2013 Budget to appropriate \$50.00 from the Town Historian line (A7510.1) to increase line A7450.4 (Museum-Art Gallery) by \$50.00.

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:

43 RESOLVED: WHEREAS, \$1.00 per dog license was directed to the Madison County Clerk since January 1, 2011, and;

WHEREAS, Madison County will not accept these fees;

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby directed to remit these fees to the Town of DeRuyter Supervisor.

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.

- CCAP Grant: Supervisor Degear was contacted and told that money was still available that could cover things such as HVAC and a generator. A project budget is required which Supervisor Degear is currently working on. He is also working on the specifications for a generation system. Geo-thermal will be investigated. Board members agree to move forward on bids after specs are received.
- Elevator service contract: Otis' is \$304 per month to be paid annually with a 5 year contract. Board members would like to see what other companies offer.

OTHER BUSINESS:

Madison County Committee Assignments: Supervisor Degear is serving on the Public Safety Committee and the Government Operations Committee and is Vice Chairman of the Board of Supervisors.

PUBLIC COMMENTS: None

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 #1023 | \$23,782.55 |
|----------------------|-------------|
| Abstract #1024 | \$10,857.45 |
| Abstract #1000(2013) | \$21,415.24 |

All in favor and carried.

Motion by Councilmen Hathaway and Jones to pay the bill submitted by Heartwood Forest Products in the amount of \$1,675.00. All in favor and carried.

Motion by Councilmen Barnes and Hathaway to enter into executive session with only the Supervisor and Councilmen in attendance to discuss the financial or employment history of a particular person and matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person. All in favor and carried.

The executive session ended, the regular meeting resumed with a motion by Councilmen Jones and Barnes to adjourn. All in favor and carried.

Respectfully submitted,

Rebecca Wightman Town Clerk