

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, Highway Superintendent Cook, Councilman Barnes, Councilman Coon, Councilman Jones and Councilman Hathaway. Also present were Ruthanne Stone, Janita Bush, Levi & Jamie Tousant, Sharon LeDuc, Carol & Warren Babcock, Deb Midlar, Joe Yankowski, Michelle Kennedy, David Craine, T. Michael Salter and Rhonda Wheeler.

Motion by Councilmen Barnes and Jones to approve the minutes of the June 12th meeting as presented. All in favor and carried.

INSURANCE PROPOSALS:

- Mang Insurance Agency – David Craine reviewed the renewal proposal. The renewal premium for 2014/2015 would be \$16,523.94.
- Skeelee Insurance Agency – No one was present from Skeelee Agency to present their proposal.

TOWN CLERK'S REPORT:

- Written monthly report was submitted.

HIGHWAY SUPERINTENDENT'S REPORT:

- Superintendent Cook reported that former Madison County Highway Superintendent, Joseph Slivinski recently passed away. Joe retired in 2007, with thirty-two years of service to Madison County. He was employed with the Madison County Highway Department, first as the Deputy Highway Superintendent, and in 1980 was appointed as the County Highway Superintendent and Coordinator of Solid Waste. He was also appointed Supervisor of the Solid Waste Landfill for the county.
- Waiting for a paving date for South Hill.
- Arnold Road repairs should begin next week.
- Chips sealing is almost complete.
- Fixing washouts.
- Training session on 9/11 by National Weather Service.
- Soil and water training next week.

SUPERVISOR'S REPORT:

- Highway statement – written report filed
- Supervisor's statement – written report filed
- Supervisor's report – written report filed

CORRESPONDENCE:

- Letter from the Madison County Sheriff regarding the creation of a Madison County Resource Assets Evaluation and Database as part of the State Homeland Security Program.

- Notice of proposed premium rate change from Excellus BC/BS

OLD BUSINESS:

- Carey Road – stream bank stabilization
 - Supervisor Degear contacted Congressman Richard Hanna for help in expediting our FEMA project permit approval.
 - Bid tabulation and award – on the advice of counsel, motion by Councilmen Barnes and Jones to reject all bids and re-bid with an opening date of August 7, 2014. All in favor and carried.
- EPA – following a discussion regarding the Clean Water Act regulation proposed by the Environmental Protection Agency and Army Corps of Engineers, motion by Councilmen Coon and Jones to adopt:

#55 RESOLVED: WHEREAS, the Town of DeRuyter affirms its commitment to environmental stewardship and the protection of our natural resources, and recognizes the need to harmonize municipal programs and services with the legislative intent and objectives of the Clean Water Act (CWA); and

WHEREAS, the Environmental Protection and Agency (EPA) and the United States Corps of Engineers (Corps) have developed a proposed regulation on Definition of “Waters of the United States” Under the Clean Water Act to clarify the EPA and Corps’ understanding and definition of the CWA that will inform all of EPA’s regulatory programs and policy actions; and

WHEREAS, both agencies are seeking a rule change to give the federal government more authority by expanding the definition of “navigable waters” in the Clean Water Act; and

WHEREAS, this proposed rule change creates greater uncertainty rather than clarity and would now capture a significant number of public works activities and transportation infrastructure that will now be subject to the CWA and its costly and time-consuming permitting and regulatory protocols; and

WHEREAS, the proposed regulation potentially expands the number of projects subject to jurisdictional determination or CWA permitting at the risk of expense to the taxpayers of the Town of DeRuyter with little, if any, substantive environmental benefit; and

WHEREAS, the financial impact of the proposed regulation to Madison County will create significant ongoing maintenance costs and delays to the Town of DeRuyter citizens due to the need for jurisdictional determinations and expanded jurisdictional authority of EPA and the Corp; and

WHEREAS, the Town of DeRuyter believes that the standards for making jurisdictional determination under the CWA and clarification or definition of the intent of the CWA should be accomplished only through the U.S. Congress, and limited by the decisions of the U.S. Supreme Court;

NOW, THEREFORE, BE IT RESOLVED that the Town of DeRuyter hereby opposes the new EPA proposed regulations that would replace the 2011 interpretive guidelines they are currently following concerning the Clean Waters Act definition for “Waters of the United States”; and

BE IT FURTHER RESOLVED, that the Town of DeRuyter supports any federal legislation consistent with the above recommendations and urges its Congressional and State Representatives to intercede with EPA and request that EPA report to them on their response and adaptations regarding the aforementioned concerns; and

BE IT FURTHER RESOLVED that a copy of this resolution should be transmitted to U.S. Senators Charles Schumer and Kirsten Gillibrand, U.S. House Representative Richard Hanna, EPA Administrator Gina McCarthy, New York Governor Andrew Cuomo, New York State Senator Dave Valesky, New York Assembly Representative William Magee and EPA Region 2 Administrator Judith Enck.

The roll call vote was taken with the following results:

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

The Clerk declared the foregoing duly carried.

- Rising Communities Update – held up in the Governor’s office and will not be done this year.
- Sheds Compressor Station
 - Madison County entering into agreement with Thimble Creek Research to conduct a public health assessment.
 - Madison County Department of Health news release seeking public comment on health concerns of proposed compressor station. Oversight committee is made up of doctors, health care professionals and professors.
- Salt storage – Proposal submitted by Barton & Loguidice for grant application services. Motion by Councilmen Jones and Coon to authorize Supervisor Degear to sign agreement with Barton & Loguidice. All in favor and carried.
- Empire State Purchasing Update – Supervisor Degear and Clerk Wightman received training.
- Election - lease agreement for use of the Genevieve D. Staley Civic Center for election poll. Motion by Councilmen Jones and Hathaway authorizing Supervisor Degear to sign said lease agreement. All in favor and carried.
- Shared services – summary of the shared services meeting of 7/9/2014 with DeRuyter Central School.

NEW BUSINESS:

- The New York State Court of Appeals ruled in favor of towns that wanted to ban fracking.
- \$5,000 grant from the Central New York Community Foundation for a gazebo to be used for community events at the Genevieve D. Staley Civic Center. Motion by Councilmen Barnes and Jones to adopt:

#56 RESOLVED: That this Town Board does hereby approve the increase in expenditures A7110.2 by \$5,000 and an increase in revenue A2705 by \$5,000 for Gazebo project.

The roll call vote was taken with the following results:

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

The Clerk declared the foregoing duly carried.

Motion by Councilmen Barnes and Coon to adopt:

#57 RESOLVED: That this Town Board does hereby approve an increase in expenditures DA5130.2 of \$200,909 for the purchase of a 2015 Freightliner 10 wheeler (\$115,812) and plow equipment/dump body (\$85,097) and an increase in revenue DA2665 of \$27,900 for the sale of the 2001 Freightliner and to appropriate highway town-wide fund balance of \$173,009 for the balance.

The roll call vote was taken with the following results:

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

The Clerk declared the foregoing duly carried.

- Since no one was present from Skeele Agency to present their proposal, the Board reviewed an emailed copy that the Clerk printed and copied. The total annual premium was listed as \$17,867. Motion by Councilmen Coon and Barnes to accept the lower premium insurance proposal submitted by Mang Agency. All in favor and carried.

OTHER BUSINESS:

- Supervisor Degear has been named to the Syracuse Regional Airport Authority Advisory Board.

PUBLIC COMMENTS:

- Ruthanne Stone read a written statement about proposed Sheds Compressor station concerns. Her written statement will be kept on file in the Town Clerk’s office.
- Joe Yankowski read a written statement about hydro fracking.
- T. Michael Salter read a written statement concerning the safety of the proposed compressor station.

EXECUTIVE SESSION:

- Motion by Councilmen Jones and Hathaway to enter into executive session to discuss the employment history of a particular person. All in favor and carried.

- The executive session was interrupted by Shea Skeele who voiced his displeasure over the fact that Skeele Agency was not awarded the insurance bid.
- Motion by Councilmen Jones and Coon to close the executive session. All in favor and carried.

✓ Motion by Councilmen Jones and Coon to pay bills as audited:

Abstract #1011	\$35,320.89
Abstract #1012	\$53,224.74

All in favor and carried.

- ✓ Motion by Councilmen Jones and Coon to accept the Supervisor's statement. All in favor and carried.
- ✓ Motion by Councilmen Jones and Coon to adjourn. All in favor and carried.

Respectfully submitted,

Rebecca Wightman
Town Clerk