

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 Coon, Councilman Barnes, Councilman Hathaway and Councilman Jones. Also present were Becky Marshall, Karen Buckley (NYMIR), David Craine (NBT-Mang), Jeanne Prill (Tompkins Insurance Agencies), T. Michael Salter and Ruthanne Stone.

Supervisor Degear began the meeting with the Pledge of Allegiance.

Motion by Councilmen Barnes and Jones to accept the minutes of the June 9<sup>th</sup> meeting as presented. All in favor and carried.

**INSURANCE PRESENTATIONS:**

- Tompkins Insurance proposal presented by Jeanne Prill.
- NBT-Mang proposal presented by David Craine and Karen Buckley

**TOWN CLERK'S REPORT:**

- Monthly written report submitted.

**HIGHWAY SUPERINTENDENT'S REPORT:**

- Chip sealing July 25
- New knives on mower
- Pave NY funds have been released
- Need to replace some fascia on the garage
- Old garage is all cleaned out and ready for demo
- Pole saw was sold on Auctions International but no one has picked it up

**SUPERVISOR'S REPORT:**

- Monthly financial reports submitted.
- Supervisor's monthly statement submitted.

**CORRESPONDENCE:**

- Sandra Cirbus submitted her resignation as Deputy Town Clerk/Collector and Deputy Registrar.
- Letter of thanks from the Gold and Silver Club

**OLD BUSINESS:**

- Following a discussion, motion by Councilman Coon and Councilman Jones to adopt

**#59 RESOLVED:**

**WHEREAS**, Michael Curran, a member of the Town of DeRuyter Planning Board has sold his home and moved out of the Town of DeRuyter; and

**WHEREAS**, Mr. Curran verbally informed Supervisor Degear of his resignation from the Town of DeRuyter Planning Board; and

**WHEREAS**, Mr. Curran’s term of office on the Planning Board runs 1/1/2016 through 12/31/2020; and

**WHEREAS**, Mr. Jerry Rice of 37 South Lake Road, DeRuyter, NY has agreed to fulfill Mr. Curran’s unexpired term;

**NOW, THEREFORE BE IT RESOLVED** that the Town Board of the Town of DeRuyter hereby appoints Mr. Jerry Rice, 37 South Lake Road, DeRuyter, NY to the Town of DeRuyter Planning Board effective 7/14/2016, such term expiring on 12/31/2020.

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.

- Civic Center electrical update – Exit lights all on, outside sign light on, basement restroom exit light installed and working. Check received from insurance company for generator repair.
- Salt/Storage Building
  - Bond calendar reviewed
  - Debt statement reviewed and motion by Councilmen Barnes and Coon authorizing the Supervisor to sign said statement. All in favor and carried.
  - Following a discussion, motion by Councilmen Coon and Hathaway to adopt:

**#60 RESOLVED: WHEREAS**, the Town Board of the Town of DeRuyter has heretofore established a Capital Reserve Fund pursuant to § 6-c of the General Municipal Law of the State of New York; and

**WHEREAS**, all conditions precedent to the financing of the capital project heretofore described, including compliance with the provisions of the State Environmental Quality Review Act have been performed; and

**WHEREAS**, it is anticipated that up to \$16,083.04 of the total anticipated project cost will be financed by the use of the “Highway Building Reserve Fund” a capital reserve heretofore established pursuant to §6-c of the General Municipal Law; now, therefore, be it

**RESOLVED**, that the Town Supervisor of the Town of DeRuyter be and hereby is authorized and directed to transfer from the “Highway Building Reserve Fund” to an appropriate expense budget line item up to \$16,083.04 of the principal and accumulated interest in said “Highway Equipment Reserve Fund” to fund, in part, the cost of the construction of and site preparation for a Salt/Sand Building; and be it further

**RESOLVED**, that this resolution is subject to permissive referendum.

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.

- It was decided that the color of the salt/storage building be red with white trim.

**NEW BUSINESS:**

- Following a discussion, motion by Councilmen Jones and Coon to adopt:

**#61 RESOLVED:**

To amend the 2016 budget as follows to show financing for the Salt Storage Building Project per the Board meeting on 7/14/2016:

Increase Highway Townwide appropriated Reserves (DA511 – Hwy Bldg Reserve- \$16083.04) and Estimated Revenues (DA510 – DA5710 – Serial Bonds - \$200,000); and

Increase estimated expenditures DA5132.2 (Capital Bldg) by \$216,083.04.

To amend the 2016 budget as follows to reflect the actual Consolidated Improvement (CHIPS) Aid and PAVENY Aid for the year 2016:

Increase DB Revenues (DB3501) from \$77,500 to \$84,506.64; and

Increase DB Appropriations (DB5112.2) from \$77,500 to \$84,506.64

To amend the 2016 budget as follows to increase Machinery Appropriations from revenues received through the sale of scrap metals:

Increase DA Revenues (DA2650) from \$0.00 to \$1,080.00; and

Increase DA Appropriations (DA5132.4) from \$32,500.00 to \$33,580.00

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.

- Following a discussion about the salary for the Deputy Town Clerk salary, motion by Councilmen Barnes and Coon to establish a salary of \$300 per week for the Deputy Town Clerk position. All in favor and carried.
- The Historical Society has requested the use of the gazebo for a concert series. No definite plans have been made.

- Rebecca (Becky) Marshall, the new Deputy Clerk will be attending a Notary Public Class and then taking the Notary Public exam. Motion by Councilmen Barnes and Jones to approve reimbursement for fees related to obtaining a Notary Public license incurred by Becky Marshall. All in favor and carried.
- Madison County has purchased a new paver. Seven Madison County Towns are interested in jointly purchasing Madison County's old paver to share. The Board agrees that the Town of DeRuyter might be interested.
- Wanderer's Rest Humane Association is suggesting that all Towns use standardized impoundment fees. Motion by Councilmen Coon and Jones to modify our impoundment fees as outlined below:

*First Impoundment* - \$40.00

*Second Impoundment* - \$50.00 (of a dog within a 1 year period) + \$3.00 a day boarding after 24 hours

*Third Impoundment* - \$100.00 (of a dog within a 1 year period) + \$3.00 a day boarding after 24 hours

All in favor and carried.

- Motion by Councilmen Barnes and Hathaway to adopt:

**#62 RESOLVED:**

**WHEREAS**, Section 617.5 of the regulations implementing the New York State Environmental Quality Review Act (SEQR) authorizes the Town of DeRuyter to adopt its own Type II list found in section 617.5(c) of the SEQR regulations; and

**WHEREAS**, in order to ease the administration burden on applicants, Town Officials and the Town of DeRuyter Planning Board, adoption of a local Type II list is deemed appropriate.

**NOW, THEREFORE BE IT RESOLVED** that the Town Board of the Town of DeRuyter adopts a local Type II list for the Town of DeRuyter pursuant to the authority provided under 617.5(b) of the SEQR regulations, and that said Type II list shall include the following actions:

1. Lot Line Changes
2. Lot Line Consolidations
3. Division of any parcel of land into not more than two (2) lots, blocks or sites for the purpose of conveyance, transfer of ownership, improvement, building development or sale.
4. Maintenance or repair involving no substantial changes in an existing structure or facility;
5. Replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part;
6. Agricultural farm management practices, including construction, maintenance and repair of farm buildings and structures, and land use changes consistent with generally accepted principles of farming;
7. Repaving of existing highways not involving the addition of new travel lanes;
8. Street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities:

9. Maintenance of existing landscaping or natural growth;
10. Construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities;
11. Routine activities of educational institutions, including expansion of existing facilities by less than 10,000 square feet of gross floor area and school closings, but not changes in use related to such closing;
12. Construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (11) of this subdivision and the installation , maintenance and/or upgrade of a drinking water well and a septic system;
13. Construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;
14. Extension of utility distribution facilities, including gas, electric, telephone, cable ,water and sewer connections to render service in approved subdivisions or in connection with any action on this list;
15. Granting of individual setback and lot line variances;
16. Granting of an area variance(s) for a single-family, two-family or three family residence;
17. Public or private best forest management (silvicultural) practices on less than 10 acres of land, but not including waste disposal, land clearing not directly related to forest management, clear-cutting or the application of herbicides or pesticides;
18. Minor temporary uses of land having negligible or no permanent impact on the environment;
19. Installation of traffic control devices on existing streets, roads and highways;
20. Mapping of existing roads, streets, highways, natural resources, land uses and ownership patterns;
21. Information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type 1 or Unlisted action;
22. Official acts of a ministerial nature involving no exercise of discretion, including building permits and historic preservation permits where issuance is predicated solely on the applicant's compliance or noncompliance with the relevant local building or preservation codes(s);
23. Routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;
24. Conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action;
25. Collective bargaining activities;

26. Investments by or on behalf of agencies or pension or retirement systems, or refinancing existing debt;
27. Inspections and licensing activities relating to the qualification of individuals or businesses to engage in their business or profession;
28. Purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials;
29. License, lease and permit renewals, or transfers of ownership thereof, where there will be no material change in permit conditions or the scope of permitted activities;
30. Adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list;
31. Engaging in review of any part of an application to determine compliance with technical requirements, provided that no such determination entitles or permits the project sponsor to commence the action unless and until all requirements of this Part have been fulfilled;
32. Civil or criminal enforcement proceedings, whether administrative or judicial, including a particular course of action specifically required to be undertaken pursuant to a judgment or order, or the exercise of prosecutorial discretion;
33. Adoption of a moratorium on land development or construction;
34. Interpreting an existing code, rule or regulation.
35. Designation of local landmarks or their inclusion within historic districts;
36. Emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to the environment. Any decision to fund, approve or directly undertake other activities after the emergency has expired is fully subject to the review procedures of the SEQR Regulations;
37. Actions undertaken, funded or approved prior to the effective dates, set forth in SEQR(see chapters 228 of the Laws of 1976, 253 of the Laws of 1977 and 460 of the Laws of 1978), except in the case of an action where it is still practicable either to modify the action in such a way as to mitigate potentially adverse environmental impacts, or to choose a feasible or less environmentally damaging alternative, the commissioner may, at the request of any person, or on his own motion, require the preparation of an environmental impact statement; or, in the case of an action where the responsible agency proposed a modification of the action and the modification may result in a significant adverse impact on the environment, an environmental impact statement must be prepared with respect to such modification;
38. Actions requiring a certificate of environmental compatibility and public need under article VII, VIII or X of the Public Service Law and the consideration of, granting or denial of any such certificate;

**IT IS FURTHER RESOLVED**, that the Town Board of the Town of DeRuyter hereby determines that none of the actions included in this local Type II list have a significant impact on the environment based on the

criteria contained in Section 617.7(c) of the SEQR Regulations nor do they constitute Type I actions under the SEQR Regulations.

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 Hathaway to adopt:

**#63 RESOLVED: WHEREAS**, the Town Board of the Town of DeRuyter purchases liability insurance for the Town on an annual basis; and

**WHEREAS**, insurance proposals were presented to the Board at its July 14, 2016 regular meeting by Tompkins Trust and NBT-Mang Insurance representatives; and

**WHEREAS**, following consideration of both proposals, the Town Board has determined to purchase the policy proposed by NBT-Mang;

**NOW, THEREFORE BE IT RESOLVED** that the Town Board of the Town of DeRuyter authorizes the purchase of liability insurance as proposed by NBT-Mang and that the Supervisor of the Town of DeRuyter is and is hereby authorized and directed to complete all necessary documents to complete this transaction.

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.

**OTHER BUSINESS:**

- There is a dozer on Carpenter Road parked too close to the roadway. Owner has been contacted and says it will be moved but it's still there. The Town's attorney will be asked how we can remedy the situation.
- Comments have been sent to FERC.

- Motion by Councilmen Barnes and Coon to accept the Supervisor statement. All in favor and carried.
- Motion by Councilmen Barnes and Coon to approve payment of the following claims:

Abstract #12	\$33,527.16
Abstract #13	\$89,038.10

All in favor and carried.

- Motion by Councilmen Barnes and Coon to pay the Clinton Tractor bill as audited. All in favor and carried.
- Motion by Councilmen Barnes and Coon to adjourn. All in favor and carried.

Respectfully submitted,

Rebecca Wightman, Town Clerk