

A special joint meeting/public hearing of the DeRuyter Town Board and the DeRuyter Village Board was held at 7:00PM on the above date in the temporary Town Offices located at 1695 Albany Street for the purpose of discussing our contract with Time Warner.

Present were Supervisor Degear, Clerk Wightman, Councilmen Barnes, Hathaway and Jones, Village Mayor Nancy Parkhurst, Clerk/Treas. Pat Winters, Trustee Linda Radley and Kelly Colasurdo from Riehlman, Shafer & Shafer.

Motion by Councilmen Barnes and Jones to open the public hearing at 7:15PM. All in favor and carried. Contract was discussed. This will be a 15 year agreement and the Town and Village will each receive a 5% franchise fee. Since no one was present to speak about the Town/Village contract with Time Warner, motion was made by Councilman Hathaway and seconded by Councilman Jones to close the public hearing at 7:16PM. All in favor and carried.

Motion by Councilmen Jones and Hathaway to adopt:

#48 RESOLVED:

In the Matter of the Renewal of the Cable Television Franchise Held by **TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP** in the **Town of DeRuyter, Madison County, New York**

RESOLUTION

An application has been duly made to the Board of the Town of DeRuyter, County of Madison, New York, by **TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP ("Time Warner Cable")**, a partnership organized under the laws of the State of New York doing business at 120 Plaza Drive, Suite D, Vestal, New York 13850, and holder of a cable television franchise in the Town of DeRuyter for the approval of an agreement to renew Time Warner's cable television franchise for an additional fifteen (15) years commencing with the date of approval by the Public Service Commission. The Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

A public hearing was held in the Town of DeRuyter, New York on June 30, 2011 at 7:15 P.M. and notice of the hearing was published in the Cortland Standard on June 22, 2011.

NOW, THEREFORE, the Board of the Town of DeRuyter finds that:

1. Time Warner has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. The quality of the Time Warner service, including signal quality, response to customer complaints and billing practices has been in light of community needs; and
3. Time Warner has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
4. Time Warner can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Board of the Town of DeRuyter hereby renews the cable television franchise of Time Warner in the Town of DeRuyter for fifteen (15) years commencing with the date of approval by the Public Service Commission and expiring fifteen (15) years hence.

BE IT FURTHER RESOLVED that the Board of the Town of DeRuyter hereby confirms that this Franchise Renewal Agreement replaces the original franchise last amended on June 16, 2011.

The roll call vote was taken with the following results:

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

The Clerk declared the foregoing duly carried.

Supervisor Degear brought the Board up to date on the passage of bill (S.5856), sponsored by Senate Majority Leader Dean G. Skelos, that will cap school and local government taxes to less than two percent or the Consumer Price Index (CPI), whichever is lower. A Mandate Relief Council was established to “identify and repeal unsound, unduly burdensome laws and regulations”.

One “Request For Proposals” for repair of the floor at the Highway Garage was received from Wilcox Construction in the amount of \$44,900. Since the amount was significantly higher than

expected, motion by Councilmen Barnes and Hathaway to reject the proposal. All in favor and carried. Discussion followed about re-issuing the request for proposal or, doing part of the project “in-house” and doing the rest of the work in sections as time and funding allows. Motion by Councilmen Barnes and Jones to do as much of the project as we can “in-house” (pouring aprons, sealing cracks and repair sections) when time and funding allows. All in favor and carried.

Supervisor Degear will not be here for the July 14 regular meeting. Motion by Councilmen Jones and Barnes to change the next meeting date to July 12 at 7:30PM. All in favor and carried.

Casselberry Flooring has completed work at the Town Hall. Motion by Councilmen Barnes and Jones to approve payment of \$2,692.00 to Casselberry Flooring as per the submitted invoice. All in favor and carried.

Discussion of ventilation issues in the elevator utility room.

The Town Hall Committee met recently at the Town Hall and discussed the “DeRuyter High School” sign on the front of the building. Some would like to see the sign refurbished and left as-is, others would like to see a new sign installed, while others prefer to leave the sign intact but cover it with a new sign. Motion by Councilmen Jones and Barnes to cover the existing sign with a new sign reading “Genevieve Staley Community Center”. All in favor and carried.

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

Respectfully submitted,

Rebecca Wightman, Town Clerk