

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 and Joe Yankowski.

Supervisor Degear began the meeting with the Pledge of Allegiance.

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

TOWN CLERK'S REPORT:

- Monthly written report submitted.

HIGHWAY SUPERINTENDENT'S REPORT:

- Summer paving projects complete.
- Need shoulders and driveways fixed.
- Mowing roadsides.
- Old Highway building cleaned out.
- Pave NY paperwork complete.
- New tires for tractor purchased with money received from sale of scrap steel.

CORRESPONDENCE:

- Laura Hammond sent a letter of resignation from the Town of DeRuyter Zoning Board of Appeals effective June 1, 2016. Motion by Councilmen Coon and Jones to accept, with regret, the resignation of Laura Hammond from the Town of DeRuyter Zoning Board of Appeals. All in favor and carried. It was noted that Mike Curran might be resigning from the Planning Board as he has sold his DeRuyter property. Supervisor Degear mentioned the possibility of asking Michael Salter if he would be interested in serving on either the Planning or Zoning Board.
- Winslow Skeeel submitted a document regarding "the seven vehicle approaches and their speed limits approaching the Village of DeRuyter". No action taken.
- Time Warner Cable is now Spectrum.
- Certificate of Final Special Franchise Full Value from New York State Department of Taxation and Finance.

OLD BUSINESS:

- Surplus equipment auction – bidding has ended. Lot #1 - Backhoe (\$6,200), Lot #2 - 2 Goodyear tires (\$36) Lot #3 - 8 Goodyear tires (\$430), Lot #4 - 2 Tires on Dayton (\$72.50), Lot #5 - 2 Rear Tractor tires (\$26), Lot #6 - Antique Lubricant Pump (\$10), Lot #7 - Stihl Pole Saw (\$220), Lot #8 - Bostrom Air Seat (\$260). Motion by Councilmen Barnes and Coon to accept all bids except the bid for Lot #2. All in favor and carried.

- Salt Storage Building
 - Motion by Councilmen Barnes and Coon to adopt:

#54 RESOLVED: WHEREAS, the capital project hereinafter described, as proposed, has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which it has been determined will not have a significant effect on the environment; and

WHEREAS, it is now desired to authorize such capital project and it's financing.

NOW, THEREFORE, BE IT RESOLVED, by the affirmative vote of not less than two thirds of the total voting strength of the Town Board of the Town of DeRuyter, Madison County, New York, as follows:

Section 1. For the class or purposes of paying the cost of the removal of the former highway garage and the purchase and installation of a salt storage and cold storage building at the Town Highway Garage site at 807 – 811 Utica Street, in and for the Town of DeRuyter, Madison County, New York, including improvements and expenses in connection therewith, there are hereby authorized to be issued, subject to permissive referendum, \$200,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of said class of objects of purposes is \$200,000, which class of objects or purposes is hereby authorized at said maximum cost, and the plan for the financing thereof is by the issuance of the \$200,000 bonds of the Town authorized to be issued therefore pursuant to Section 1 thereof.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is twenty-five years, pursuant to subdivision 11(b) of paragraph A of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of DeRuyter, Madison County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively due and payable in such year. There shall annually be levied on all he taxable real property of said Town, a tax sufficient to pay the principal and interest on such bonds as the same become due and payable.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue said bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent for said bonds,

providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town) the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

1. Such obligations are authorized for an object of purpose for which the Town is not authorized to expend money, or
2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting the validity is commenced within twenty days after the date of such publication, or
3. Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED 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.

- o SEQR Form reviewed.
- o The following resolution was offered by Councilman Coon, who moved its adoption, seconded by Councilman Barnes, to wit:

#55 RESOLVED: WHEREAS, the Town of DeRuyter Town Board and Highway Superintendent have previously discussed the procurement of a 40' x 96' new sand/salt storage building, to be located on the site of the former Town of DeRuyter Highway Garage at 807-811 Utica Street, DeRuyter, New York; and

WHEREAS, Volume 6 N.Y.C.R.R. Part 617 of the Regulations relating to Article 8 of the Environmental Conservation Law of New York (SEQRA), requires that as early as possible and within twenty (20) days of a complete application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, a Short Environmental Assessment Form has been prepared and reviewed by the Town Board, which jointly considers the impacts of both the sand/salt storage building; and

WHEREAS, the Town of DeRuyter Town Board finds that:

1. The proposed construction of a 40' x 96' sand/salt storage building at 807-811 Utica Street, DeRuyter, NY is a metal building set on poles;
2. The project will not involve any major storm water management facilities;
3. The parcel of property is currently owned by the Town of DeRuyter, is utilized as the Town of DeRuyter Highway Garage premises and has sufficient size and area to accommodate this structure;
4. This structure will not require any significant excavation as part of its siting and location on the premises;
5. There will be no wastewater generated from this building, therefore there is no anticipated concerns with management of wastewater from the facility;
6. A SWEPP will not be required for the site given the limited amount of disturbance associated with the project;
7. There is no anticipated increase in traffic flow onto Utica Street from the project as it is currently used as the dispatch for the Town of DeRuyter Highway Department;
8. There are no anticipated air emissions related to the site operations associated with the sand/salt building;
9. This facility does not require any additional fuel storage tanks, bulk petroleum storage tanks or any other chemicals to be stored on the site;
10. There are no anticipated impacts from any New York State Department of Environmental Conservation or Army Corps of Engineers' wetlands in the vicinity of the project;
11. There are no archaeological or historic sites on or near the project site;
12. There are no known endangered species (flora or fauna) at or near the project site;
13. The site has no association with known flood zones; and
14. The premises are bordered by the DeRuyter Big M grocery store and 807 Utica Street Realty, LLC.

NOW THEREFORE, BE IT RESOLVED that the Town Board hereby notices all agencies involved, if any, that it shall be the lead agency for this project; and it is further

RESOLVED that the Town Board hereby determines that the proposed action is an Unlisted Action, that the action does not involve any federal agency and the proposed action does not involve more than one agency; and it is further

RESOLVED that the Town Board hereby determines that the proposed action will not have a significant adverse effect on the environment, and this resolution shall constitute a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law, Volume 6 of the N.Y.C.R.R. Part 617; and it is further

RESOLVED that the Town Board approves and adopts the findings referenced above; and it is further

RESOLVED that the Town of DeRuyter Town Board hereby authorizes the procurement and placement of a 40' x 96' salt/sand storage building on the existing premises known as the Town of DeRuyter Highway Garage, located at 807-811 Utica Street, DeRuyter, NY subject to obtaining appropriate financing for such improvements.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Edwin Coon	Councilman	Voted	Yes
Cedric Barnes	Councilman	Voted	Yes
Robert Hathaway	Councilman	Voted	Yes
Robert Jones	Councilman	Voted	Yes
Daniel Degear	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

- o The following resolution was offered by Councilman Jones, who moved its adoption, seconded by Councilman Barnes, to wit:

#56 RESOLVED: WHEREAS, the Town of DeRuyter Town Board has been notified by the Town of DeRuyter Highway Superintendent of the need for a structure for the protection of the Town's sand and salt reserves necessary for the appropriate maintenance of the Town of DeRuyter roads and highways, and

WHEREAS, on May 12, 2016, the Town Board of the Town of DeRuyter authorized the solicitation of bids pursuant to General Municipal Law §103, including the usage of best value practices for the purchase/procurement of a salt/sand storage building, more specifically set out in the scope of the Town of DeRuyter Salt/Sand Storage Building Specifications, for use by the Town of DeRuyter Highway Department; and

WHEREAS, two sealed bids were received timely and opened and read aloud on June 8, 2016 at 2:00 pm, both bids appearing to be complete; and

WHEREAS, the Town has conducted due diligence and a review of the specifications of the timely bid packages; and

WHEREAS, the bid responses have been reviewed carefully by the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that the Town of DeRuyter Town Board hereby awards the successful bid for a salt/sand storage building, more specifically set out in the scope of the Town of DeRuyter Salt/Sand Storage Building Specifications, to Secor Building Solutions at a price of \$143,750.00 subject to entering into a purchase contract for said salt/sand storage building and securing of financing relative to same; and it is further

RESOLVED, that the Town of DeRuyter Supervisor is authorized to execute the necessary documentation to procure the salt/sand storage building so awarded herein; and it is further

RESOLVED, that the above authorization is subject to appropriate procurement of financing for this acquisition.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Edwin Coon	Councilman	Voted	Yes
Cedric Barnes	Councilman	Voted	Yes
Robert Hathaway	Councilman	Voted	Yes
Robert Jones	Councilman	Voted	Yes
Daniel Degear	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

- Financing Proposal from Fiscal Advisors & Marketing, Inc. was reviewed. Motion by Councilmen Coon and Hathaway authorizing Supervisor Degear to sign the Financial Advisory Services Agreement. All in favor and carried. Potential rates and amortization schedules reviewed.
- Highway Property Line – Big M owners will contact us when they are ready to proceed.

NEW BUSINESS:

- Town Hall Electrical Issues
 - Sometime between 7PM on May 29th and 8AM on May 31, the electrical equipment associated with the Civic Center generator malfunctioned. Troubleshooting and repairs cost a total of \$7,193.28. The Town has paid these bills but is requesting reimbursement from NYMIR. Motion by Councilmen Coon and Jones moved to adopt:

#57 RESOLVED: WHEREAS, Electrical Equipment associated with the Town Hall’s generator malfunctioned at some point in time between 7:00 pm on May 29, 2016 and 8:00 am on May 31, 2016 denying the facility to receive electrical power from the utility, National Grid, and causing the generator to become the sole source of electricity for the town hall facility; and

WHEREAS, upon troubleshooting by National Grid, Cummins Northeast, and Huen Electric, it was discovered that a 600 amp breaker switch was malfunctioning and requiring replacement; and

WHEREAS, this 600 amp breaker switch cost \$5,239.48 in addition to troubleshooting and installation labor costs; and

WHEREAS, the Town of DeRuyter Procurement Policy permits purchases in emergency situations in instances “where goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten public buildings.”

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of DeRuyter hereby declares the purchase and installation on the 600 amp breaker switch to the Town Hall facility to have been an emergency purchase pursuant to the Town of DeRuyter Procurement Policy.

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.

- While dealing with the electrical issues, it was discovered that only some of the emergency lighting in the building was working. Supervisor Degear suggested we ask Huen Electric to troubleshoot and fix these issues. The Board members agreed that Huen Electric should be contacted to fix the emergency lighting.

- Standard Work Day Reporting – Motion by Councilmen Hathaway and Jones to adopt:

#58 RESOLVED: WHEREAS, The Office of the State Comptroller New York State and Local Employees’ Retirement System requires that a Standard Work Day and Reporting Resolution be established for retirement credit reporting purposes for elected and appointed officials.

NOW THEREFORE BE IT RESOLVED, that the Town of DeRuyter hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Town Clerk:

Title	Name	Standard Work Day (Hrs/Day)	Term Begins/ Ends	Participates in Employer's Time Keeping System (Y/N)	Pay Period	Days/Pay Period (Based on Record of Activities)
ELECTED OFFICIALS						
Highway Superintendent	Walter Cook	8	1/1/16 – 12/31/17	N	Bi-Weekly	10
Supervisor	Daniel Degear	6	1/1/16 – 12/31/17	N	Bi-Weekly	3.39
Councilman	Edwin Coon	6	1/1/19 – 12/31/19	N	Quarterly	1
APPOINTED OFFICIALS						
Code Enforcement Officer	Roger Cook	6	1/1/16 – 12/31/16	N	Monthly	4.26
Budget Officer	Daniel Degear	6	1/1/16 – 12/31/16	N	Bi-Weekly	3.39
Deputy Supervisor	Edwin Coon	6	1/1/16 – 12/31/16	N	Annually	1

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.

- The Village of DeRuyter is requesting Grant Support for their CDBG Water System Improvements Project. A letter of support will be drafted and sent.
- The Civic Center parking lot will be sealed and striped tomorrow by Kelly Asphalt at a cost of approximately \$900.

OTHER BUSINESS:

- The Hunt Road and Middle Lake Road bridge replacements are to be completed in 2017, rather than 2016 due to a cost savings of \$119,000 that would be realized by postponing the construction.
- Insurance Companies are preparing proposals for the July meeting.

PUBLIC COMMENTS:

- J. Yankowski – anti hydro-fracking

- 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 #10	\$21,563.52
Abstract #11	\$27,218.54

All in favor and carried.

- Motion by Councilmen Barnes and Coon to pay the National Grid bills as audited. All in favor and carried.
- Motion by Councilmen Barnes and Coon to pay the Citizens Bank Credit Card bill as audited. All in favor and carried.
- Motion by Councilmen Barnes and Coon to pay Kelly Asphalt upon satisfactory completion of the sealing and striping of the Civic Center Parking Lot. All in favor and carried.
- Motion by Councilmen Barnes and Coon to adjourn. All in favor and carried.

Respectfully submitted,

Rebecca Wightman, Town Clerk