

A special emergency meeting of the DeRuyter Town Board was held on the above date at 7:30PM in the Town Hall. Present were Supervisor Degear, Clerk Wightman, Councilmen Coon, Barnes, Hathaway and Jones and Martha Conway.

Supervisor Degear stated that, days after the Town Board finalized the 2012 budget we received a call from the State Comptroller’s Office informing us that the sales tax is improperly accounted for in all Madison County towns. Therefore, this meeting was called to address the situation. Following a discussion of the budget change options a motion was made by Councilman Hathaway and seconded by Councilman Jones to adopt:

#56 RESOLVED THAT WHEREAS, on November 10, 2011 the DeRuyter Town Board approved Resolution #55 of 2011 adopting the Preliminary Budget as the Annual Budget for fiscal year 2012, and

WHEREAS, the Town Supervisor was notified by the State Comptroller’s office on November 14, 2011 that the Town of DeRuyter, along with every Madison County town, had improperly accounted for sales tax revenues, and

WHEREAS; the Annual Budget for fiscal year 2012 has not yet been filed with Madison County, and

WHEREAS; the changes necessary as explained by the State Comptroller’s office requires a modification of the Annual Budget for fiscal year 2012 as previously adopted,

NOW, THEREFORE BE IT RESOLVED, that this Town Board hereby withdraws and rescinds Resolution #55 of 2011 for the purpose of making the changes to the 2012 budget as required by the State Comptroller’s office to properly account for sales tax revenues.

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 further discussion, motion by Councilmen Barnes and Coon to adopt:

#57 RESOLVED THAT WHEREAS, on November 10, 2011 the DeRuyter Town Board approved Resolution #55 of 2011 adopting the Preliminary Budget as the Annual Budget for fiscal year 2012, and

WHEREAS, the Town Supervisor was notified by the State Comptroller’s office on November 14, 2011 that the Town of DeRuyter, along with every Madison County town, had improperly accounted for sales tax revenues, and

WHEREAS, the Annual Budget for fiscal year 2012 has not yet been filed with Madison County, and

WHEREAS, the Town Supervisor received a legal opinion from the New York State Association of Towns on November 16, 2011 explaining the procedures for altering the 2012 Annual Budget for fiscal year 2012, and

WHEREAS, Resolution #55 of 2011 was withdrawn and rescinded by this Town Board in Resolution #56 of 2011 reopening the 2012 Preliminary Budget,

NOW, THEREFORE BE IT RESOLVED that this Town Board hereby requests that the 2012 Preliminary Budget be modified as follows:

- B-1001 reduced to \$0.00; \$14,940 added to B-1120
- DB-1001 reduced to \$0.00; \$129,600 added to DB-1120
- DA-1001 reduced by \$15,753.86; \$15,753.86 added to DA-1120

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 Coon and Jones to adopt:

#58 RESOLVED THAT WHEREAS, a public hearing on the Town of DeRuyter Preliminary Budget for 2012 was held on November 10, 2011, and

WHEREAS, the Town of DeRuyter Annual Budget for fiscal year 2012 was adopted on November 10, 2011 by Resolution #55 of 2011, and

WHEREAS, Resolution #55 of 2011 was withdrawn and rescinded by Resolution #56 of 2011 on November 19, 2011, and

WHEREAS, the budget was amended by Resolution #57 of 2011 to reflect proper accounting of sales tax revenues as explained by the State Comptroller’s Office,

NOW, THEREFORE BE IT RESOLVED, that this Town Board hereby adopts the Preliminary 2012 Budget as amended in Resolution #57 of 2011 as the Annual Budget for fiscal year 2012.

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 of the agreement between the Town of DeRuyter and Madison County for snow removal on County roads, motion by Councilmen Barnes and Coon to adopt:

#59 RESOLVED THAT WHEREAS, the Board of Supervisors of Madison County adopted Resolution No. 316-11 on September 13, 2011 designating the improved roads of the County Road System of the County upon which snow and ice removal should be performed; and

WHEREAS, the County Superintendent of Highways was authorized to enter into agreements with the Town for the aforementioned purpose starting October 1, 2011 through April 30, 2012 at rates specified in the Agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Town Superintendent of Highways of the Town of DeRuyter, Madison County be and hereby is authorized and directed to enter into an agreement with the County of Madison to perform snow and ice removal upon the improved County Road system as per attached Agreement.

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.

Respectfully submitted,

Rebecca Wightman, Town Clerk