

The regular meeting of the DeRuyter Town Board was held at 7:30 on the above date in the Genevieve D. Staley Civic Center.

Present were Supervisor Degear, Clerk Marshall, Highway Superintendent Cook, Councilman Barnes, Councilman Coon, Councilman Hathaway, Councilman Jones, Michael Salter.

Supervisor Degear began the meeting with the Pledge of Allegiance.

Motion by Councilman Barnes and Jones to make a date change in the September 8, 2016 Minutes. Page 274, under **NEW BUSINESS**: should read AS, the next board meeting is October 13th the board members agreed that getting the tentative budget at the October 13th meeting is acceptable.

TOWN CLERK'S REPORT:

- Monthly written report submitted and discussed.

HIGHWAY SUPERINTENDENT'S REPORT:

- Update on Salt & Sand Building: Poles are up, cement is poured.
- Plows are ready for use.
- Brine was hauled in October 13, 2016
- Sharing a paver with other towns: Not at this time as split costs on repairs, maintenance, and fee amounts have not been reached.
- Following board discussion, A portion of Stanton Road will now be renamed Rakeville Road.

RENAMING PART OF STANTON ROAD

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

#68 RESOLVED:

WHEREAS, DeRuyter Town Board Resolution #60 of 2015 abandoned a portion of Stanton Road in the Town of DeRuyter beginning near the southern bank of the Middle Branch of the Tioughnioga Creek at a coordinate of approximately 42.7925 -75.8690 and proceeding northerly a distance of 0.02 miles to a point near the northern bank of the Middle Branch of the Tioughnioga Creek at an approximate coordinate of 42.7927, -75.8691; and

WHEREAS, the aforementioned road abandonment creates a segment of Stanton Road that is no longer connected to the rest of Stanton Road; and

WHEREAS, this may cause a situation confusing to emergency responders; and

WHEREAS, the area near to the segmented section of Stanton Road was once the home of a Horse Rake Factory; and

WHEREAS, Section 64, subsection 9 of the New York State Town Law provides that "*such names may also be changed and altered as the town board may determine*" regarding the naming of town highways.

NOW THEREFORE BE IT RESOLVED, that DeRuyter Town Board hereby renames the segment of Stanton Road, beginning at the centerline of New York State Route #13 at an approximate coordinate of 42.7901, -75.8697 and proceeding a length of 0.17 miles to a Dead End (south of the stream) at an approximate coordinate of 42.7925, -75.8690 as Rakeville Road; and be it further

RESOLVED, that the Town Highway Superintendent shall submit the proper documentation necessary to include the aforementioned road name change on the Town’s Local Highway Inventory.

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.

Supervisor’s Report:

- Financial Statements and Supervisor’s statement reviewed.

CORRESPONDENCES:

OLD BUSINESS:

- Motion by Councilman Jones and Coon to accept the contract with the village of Hamilton for the purchase of Salt Brine.
- Following discussion, the Board decided to Decline MERCY Flight Funding Request at this time.
- Construction update on Salt/Sand Building: poles are up, cement is poured. Paving in 2 weeks.
- Results in Bond Sale: 2.49% effective APR
- Final Accounting received from FEMA, from the 7/1/2013 Flood \$179,713.00, all balanced

NEW BUSINESS:

- 2017 Town Budget: Preliminary Budget: **Total Levy Increase: \$15,217 (6.086%)**
 Salt/Sand Building: \$13,490 (5.396%) **No Fund Balance Applied for second consecutive year.**
 Fund Balance was used for Purchase of Pick-Up Truck & Backhoe. **Tax Rates: 2016:**
 \$1.4215/Thousand **2017:** \$1.5587/Thousand
- Lake Preservation Request was discussed.
- **Modification Resolution:**

The following resolution was offered by Councilman Barnes, who moved its adoption, seconded by Councilman Coon, to wit: RESOLVED that the Town Board of the Town of DeRuyter hereby amends the 2017 Tentative Town Budget as follows:

A-1620.43 from \$13,500 to \$15,000

A-1620.41 from \$4,700 to \$4,300

A-9040.8 from \$8,000 to \$6,750

B-9040.8 from \$705 to \$600

DA-9040.8 from \$2,600 to \$2,460

DB-9040.8 from \$3,000 to \$2,800

DA-9710.7 from \$6,000 to \$3,490

B-1120 from \$17,350 to \$17,245

DB-1120 from \$135,250 to \$135,050

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.

- **Public Hearing Resolution:**

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

#69 RESOLVED: WHEREAS, the Town Budget Officer and the Town Clerk have duly submitted the 2017 Tentative Town Budget to the Town Board as prescribed by law; and WHEREAS, the Town Board reviewed and made modifications to the 2017 Tentative Budget at its regular meeting on October 13, 2016. NOW THEREFORE BE IT RESOLVED, that the said Tentative Budget is hereby set forth; and be it FURTHER RESOLVED, the said Tentative Budget, as amended, is hereby approved as and shall become the Preliminary Budget of the Town of DeRuyter, for the fiscal year beginning January 1, 2017; and be it FURTHER RESOLVED, that the said Preliminary Budget shall be kept in the Office of the Town Clerk of the Town of DeRuyter, and said Town Clerk is hereby authorized to reproduce copies of same for public distribution upon request; and be it FURTHER RESOLVED, that the Town Board shall conduct a public hearing as to the adoption of the proposed 2017 Town Budget at the Genevieve D. Staley Civic Center, 735 Utica Street in the Town of DeRuyter on Thursday, November 10, 2016 at 7:40 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested shall be heard. 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.

- AFLAC Benefits were offered to the Town Employees
- P-CARD was discussed, a credit card with Benefits while purchasing or paying items. Tabled until next meeting.
- Madison County Baseline Health Study Report was discussed. This report is on the website for viewing.
- Opioid Data Report for Madison County was discussed.
- Contract with Madison County for Snow & Ice: Motion by Councilman Hathaway and Councilman Coon. All in Favor and carried.
- Natural Gas Costs for the Town Hall & Highway Garage discussed, comparing costs at this time.

RESOLUTIONS:

TOWN BOARD RESOLUTION

OCTOBER 13, 2016

**CALLING UPON THE NEW YORK STATE PUBLIC SERVICE COMMISSION TO
INVESTIGATE RECENT WIDESPREAD COMMUNICATIONS OUTAGES**

The following resolution was offered by Councilman Hathaway, who moved its adoption, seconded by Councilman Coon, to wit:

#70 RESOLVED: WHEREAS, a matrix of communications companies provides telephone landline, cellular, and internet service to Madison County residents and businesses operating without much competition, leaving customers little alternative for obtaining landline, cellular, and internet service elsewhere; and

WHEREAS, a fiber cable breakage on Monday, August 22, 2016 caused six townships across the southern portion of Madison County, as well as, multiple town ships in neighboring counties to be without landline, internet, and cell phone service for an extended period of time; and

WHEREAS, many residents could not reach the 911 call center by landline, cell phone or internet creating a public safety issue that put people at risk who could not use their phone or internet; and

WHEREAS, these companies did not adequately plan and provide sufficient recourses to deal with the aftermath in a timely fashion; and **WHEREAS**, obtaining information from high level communications company representatives proved difficult, especially at night; and **WHEREAS**, these companies failed to address local critical infrastructure restoration needs in a timely way, failed to protect critical fiber line infrastructure, and failed to adequately communicate with emergency management, 911, elected officials and customers regarding restoration efforts; and **WHEREAS**, the failure to restore communications in a timely way threatens the health, safety and well-being of residents, especially seniors, the frail, the ill or infirm, and the very young; **NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of DeRuyter calls upon the New York State Public Service Commission to thoroughly investigate these communications companies response to landline, cellular, and internet outages, including staffing, quality of response plans, communication with customers and local governments, and the timeliness of their emergency response and service

restoration efforts; and **BE IT FURTHER RESOLVED**, that the Town Board of the Town of DeRuyter calls on the Public Service Commission to promulgate new rules regarding utilities' emergency planning, base staffing, sole reliance on 'mutual aid', and other aspects of their operations relating to emergency response and service restoration; and **BE IT FURTHER RESOLVED**, that the Town Board of the Town of DeRuyter will forward copies of this resolution to New York State Governor Andrew Cuomo, New York State Attorney General Eric Schneiderman, the County's Delegation in the New York State Senate and Assembly, the Commissioners of the New York State Public Service Commission, the Secretary of the New York State Public Service Commission and all others deemed necessary and proper.

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.

CLARIFYING RESOLUTION #65 of 2016

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

#71 RESOLVED: WHEREAS, DeRuyter Town Board Resolution #65 of 2016 appoints Rebecca Marshall to fulfill the unexpired term resulting from the resignation of former Town Clerk/Collector Wightman; and

WHEREAS, the said resolution fails to acknowledge the salary being paid to Clerk/Collector Marshall.

NOW THEREFORE BE IT RESOLVED, that DeRuyter Town Board hereby establishes the salary of Town Clerk/Collector Marshall to be set at the rate of \$27,500, said amount being previously advertised and adopted with the 2016 Town Budget; and be it

FURTHER RESOLVED, that Clerk/Collector Marshall receive the prorated amount of said salary for the months of October, November, and December 2016 and will receive the full salary for 2017 to be advertised and adopted with the 2017 Town Budget.

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.

APPOINTING TOWN REGISTRAR

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

#72 RESOLVED: WHEREAS, DeRuyter Town Board Resolution #21 of 2016 appoints Rebecca Wightman to the position of Town Registrar for the year 2016; and

WHEREAS, Rebecca Wightman resigned the position effective September 30, 2016.

NOW THEREFORE BE IT RESOLVED, that DeRuyter Town Board hereby appoints Rebecca Marshall as Town Registrar effective October 1, 2016 through December 31, 2016; and be it FURTHER RESOLVED, that the Town Board establishes the salary of Town Registrar Marshall to be set at the rate of \$310, said amount being previously adopted with the 2016 Town Budget; and be it

FURTHER RESOLVED, Rebecca Marshall receive the prorated amount of said salary for the months of October, November, and December 2016.

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.

APPOINTING ASSESSOR CLERK

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

#73 RESOLVED: WHEREAS, Rebecca Wightman resigned from the position of Clerk to the Assessor effective September 30, 2016.

NOW THEREFORE BE IT RESOLVED, that DeRuyter Town Board hereby appoints Rebecca Marshall as Clerk to the Assessor Clerk effective October 1, 2016 through December 31, 2016; and be it

FURTHER RESOLVED, that the Town Board establishes the salary of Town Registrar Marshall to be set at the rate of \$1,200, said amount being previously adopted with the 2016 Town Budget; and be it

FURTHER RESOLVED, Rebecca Marshall receive the prorated amount of said salary for the months of October, November, and December 2016.

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.

Other Business:

- The Governor has vetoed the Gaming Legislation, County Officials, including Supervisor Degear plan on having a meeting with the Governor regarding the situation.
- Vacancy Announcement: Madison County EMS Coordinator
- Broadband Initiative was discussed and now onto Phase 2. Displayed online and on Face Book.

Public Comments:

- Michael Salter would like the Broadband Initiative put on the Town's Website.
- Highway Superintendent Cook mentioned the concern of 4-wheelers riding in Town and in the Village. A Safety Concern.

➤ Motion by Councilman Barnes and Hathaway to accept the Supervisor statement. All in favor and carried.

➤ Motion by Councilman Barnes and Jones to approve payment of the following claims:

Abstract #18	26,073.11
Abstract #19	43,271.96

All in favor and carried.

➤ Motion by Councilman Coon and Hathaway to adjourn. All in favor and carried.

Respectfully submitted,

Rebecca Marshall, Town Clerk