

The regular meeting of the Town Board was held at 7:30 p.m. on October 11, 2018 at the Genevieve Staley Civic Center.

Present were Supervisor Degear, Superintendent Cook, Clerk Marshall, Councilmen Barnes, Coon, Hathaway, and Jones. Mike Salter was also present.

Supervisor Degear began the meeting with the Pledge of Allegiance.

Motion made by Councilman Barnes, Seconded by Councilman Jones to accept the minutes with corrections (Typo Error) on page 104. All in favor and carried.

#### **TOWN CLERK'S REPORT:**

- Monthly written report was submitted and discussed.
- Clerk Marshall stated:
  - 1.) It was a balanced Month.
  - 2.) Still busy collecting School Taxes until October 31<sup>st</sup>.
  - 3.) The DEC printer broke, with much time spent trying to fix it, DEC decided it was time for a new one. They overnighted a new one for hunting licenses, which is now running smoothly.

#### **HIGHWAY SUPERINTENDENT REPORT:**

- The new truck has a recall. The tran and cooler lines need to be re-routed.
- Have been busy hauling sand in.
- The trees are down at the Cemetery, Town Hall, and on Paradise Hill Road.
- Rented a mower with a brush hog to get the roadsides cleaned up.
- There have been complaints of speeding on Mill Street. It was suggested to drop the speed limit down near the Clark residents to 30 mpr. The Town Supervisor will move forward on this.

**TOWN BOARD RESOLUTION 60-2018**  
**SEEKING REDUCED SPEED LIMIT**

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

**WHEREAS**, the Town Board has become aware of a traffic speed concern at the intersections of Mill Street, Crumb Hill Road and McGowan Road; and

**WHEREAS**, Mill Street in the Village of DeRuyter has a speed limit of 30 miles per hour; however, the Mill Street speed limit ends at the Village limit which is short of the said intersection leaving a section of the road with an effective 55 miles per hour limit; and

**WHEREAS**, Crumb Hill Road in this area has a speed limit of 45 miles per; and

**WHEREAS**, there are numerous homes in this area; and

**WHEREAS**, the inconsistency of the speed limits along with the number of homes in the area warrant consideration of reducing all speed limits in this area to 30 miles per hour.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of DeRuyter respectfully requests a speed reduction of Mill Street in the Town of DeRuyter to 30 miles per hour from the Village of DeRuyter limits to the intersections of Mill Street, Crumb Hill Road and McGowan Road; and

**BE IT FURTHER RESOLVED**, that the Town Board respectfully requests a speed reduction of Crumb Hill Road to 30 miles per hour from the Village of DeRuyter limits to a location at approximately 1655 Crumb Hill Road.

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

All in favor and carried.

**SUPERVISOR'S REPORT:**

- The monthly written report, statement, highway account balances, and line item balances were submitted and discussed.

**CORRESPONDENCES/REQUEST TO SPEAK TO THE BOARD:**

- Mary and Steve Smith requested to speak to the Board regarding the trees at the Civic Center. They would like for the trees to be cut down, on the parking lot side of the building, as children and adults use them as a bathroom. This is in view of their house, as they can see what is happening behind the trees. They also suggested that the stones be removed, as the stones are being thrown at the road signs, hitting cars, and hitting their residents. The Police have been called but would like the Town to help eliminate these problems. Supervisor Degear did agree the trees can be removed.
- The Town of DeRuyter is not under any fiscal stress as the fiscal stress report came out.

**OLD BUSINESS:**

- Update on the Town Hall Repair:
  - 1.) The roof has only trim work that needs to be completed. That includes putting the tin on.
  - 2.) The elevator's part is in. Wires need to be hooked up. The elevator's company has called on an engineer to help assist with this. Our Code Enforcement Officer has given the company until October 25<sup>th</sup> to complete this job.
- The Highway Garage roof will not be completed by October 26<sup>th</sup> as the original contract stated. Due to weather and time, Chuck Ladd needs a new agreement. He would like a payment of \$16,000.00 for the order he has placed and more time to complete the job. Motion made by Councilman Jones, Seconded by Councilman Hathaway to accept his payment plan and complete the job before November 14<sup>th</sup>, 2018. All in favor and carried.
- The Highway Garage internet and phone is up and running smoothly. However, Frontier charged us a large amount of money for early termination.
- The Sexual Harassment Policy was reviewed and signed by all in attendance. The Town has the same Policy as the County.

**TOWN BOARD RESOLUTION 61-2018**  
**ADOPTING A SEXUAL HARASSMENT PREVENTION**  
**POLICY AND PROCEDURES**

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

**WHEREAS**, Governor Cuomo previously signed the Fiscal Year 2019 New York State Budget, which contains several provisions strengthening New York's sexual harassment laws and creating new obligations for employers; and

**WHEREAS**, one of the requirements of the updated laws is that every employer adopt a policy prohibiting sexual harassment in the workplace and said policy must be the recommended policy drafted by the New York State Department of Labor and the New York State Division of Human Rights or an original policy that must provide employees with at least the same amount of protection and information.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of DeRuyter hereby adopts the Sexual Harassment Prevention Policies and Procedures as on file with the DeRuyter Town Clerk; and

**BE IT FURTHER RESOLVED**, that this new Sexual Harassment Prevention Policies and Procedures be effective immediately.

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

All in favor and carried.

**NEW BUSINESS:**

**TOWN BOARD RESOLUTION 62-2018  
AUTHORIZING THE TOWN SUPERVISOR  
TO ENTER INTO AN AGREEMENT WITH THE VILLAGE OF DERUYTER**

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

**WHEREAS**, the Town of DeRuyter has previously entered into an agreement with the Village of DeRuyter for the purpose of providing labor for the maintenance of Village streets and sidewalks; and

**WHEREAS**, the current agreement will expire on December 31, 2018; and

**WHEREAS**, a new agreement has been reached to begin on January 1, 2019 and expire on December 31, 2020 with payments due from the Village to the Town in the amount of \$27,500.00 for 2019 and \$28,000.00 for 2020.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of DeRuyter hereby authorizes the Town Supervisor to enter into an agreement with the Village of DeRuyter for the purchase of providing labor for the maintenance of Village streets and sidewalks.

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

All in favor and carried.

**NEW BUSINESS:**

- The Town of DeRuyter Procurement Policy was reviewed.

**TOWN BOARD RESOLUTION 63-2018  
ADOPTING A PROCUREMENT POLICY**

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

**WHEREAS**, Section 104-b of the General Municipal Law (GML) requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the formal bidding requirements of GML, S103 or any other law; and

**WHEREAS**, the Town Board of the Town of DeRuyter previously adopted a procurement policy; and

**WHEREAS**, the previous policy did not include provisions to allow the “piggybacking” of procurement contracts let by other political subdivisions; and

**WHEREAS**, the use of “piggybacking” of other political subdivision’s contracts, is allowed under New York General Municipal Law and may potentially save the Town of DeRuyter and its taxpayers substantial costs for certain procurements.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of DeRuyter hereby adopts a procurement policy dated October 11, 2018 as on file with the DeRuyter Town Clerk; and

**BE IT FURTHER RESOLVED**, that this updated procurement policy be effective immediately.

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

All in favor and carried.

**NEW BUSINESS:**

**TOWN BOARD RESOLUTION 64-2018  
SUPPORTING TRUTH IN LABELING FOR DAIRY PRODUCTS**

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

**WHEREAS**, liquid extracted from grains, seeds, beans or leaves of various plants are being processed and marketed as “milk;” and

**WHEREAS**, these imitation dairy products are not nutritionally the same as real milk; and

**WHEREAS**, the labeling and placement of these products in the marketplace serve to confuse consumers regarding the relative benefits of these products; and

**WHEREAS**, it is a longstanding public policy to ensure that consumers receive accurate information regarding the products they are purchasing for consumption.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of DeRuyter supports the position that the term “milk” be reserved for foods that come from mammals; and

**BE IT FURTHER RESOLVED**, that non-dairy products be labeled with information to ensure that consumers understand that imitation dairy products do not contain the same nutrient value as real milk.

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

All in favor and carried.

**OTHER BUSINESS:**

- The Town of Cuyler wrote a letter to Madison County. They would like to be considered to annex into Madison County. The Board will consider. They are the second highest tax-payers in the State.
- The 2019 Tentative Town Budget was Reviewed.

**PUBLIC COMMENT:**

- Mike Salter, "Keep up the good work!"

**EXECUTIVE SESSION:**

Motion made by Councilman Hathaway, seconded by Councilman Jones to enter in to Executive Session as defined within New York State Public Officers Law, for the purpose of discussing the medical, financial, credit or employment history of a particular person or corporation, or matters relating to appointment, promotion, demotion, discipline or removal.

All in favor and the motion was carried, the board entered executive session at 8:50 p.m.

Motion made by Councilman Coon, seconded by Councilman Hathaway to exit executive session.

All in favor and the motion was carried, the Board exited executive session at 9:04 p.m.

**PAYMENT OF CLAIMS:**

- Motion made by Councilman Coon, seconded by Councilman Jones to accept the Supervisor's Statement. All in favor and carried.
- Motion made by Councilman Coon, seconded by Councilman Jones to approve the payment of the following claims:

<b>Abstract # 18</b>	<b>\$23,764.11</b>
<b>Abstract # 19</b>	<b>\$33,128.92</b>

All in favor and carried.

Motion made by Councilman Coon, seconded by Councilman Jones to adjourn the meeting. All in favor and carried.

Respectfully Submitted,

Rebecca Marshall, Town Clerk