

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, Councilmen Coon, Jones and Barnes. Also present were Joe Yankowski, Sandy Wilcox, Jim Laris and Steve King. Councilman Hathaway was absent.

Motion by Councilmen Barnes and Jones to accept the minutes of the August 8<sup>th</sup> meeting as presented. All in favor and carried.

**TOWN CLERK'S REPORT:**

- The regular written report for August was submitted.

**HIGHWAY SUPERINTENDENT'S REPORT:**

- The new truck is in use following box repair.
- Almost all flood damage on Town roads has been repaired.
- Superintendent Cook estimates \$18,000 - \$20,000 to put Arnold Road back to its previous condition.
- Hauling sand but there is a delay with salt due to OGS contract has not been awarded.
- 1998 International is in the garage for repairs.

**SUPERVISOR'S REPORT:**

- Monthly written report submitted.

**CORRESPONDENCE:**

- Excellus BC/BS policy changes.
- Letter from DeRuyter Central School asking for support for a grant they are applying for. Board agrees that a letter of support should be sent.

**OLD BUSINESS:**

- FEMA/Storm Relief Update – Tallet Road culverts discussed, Soil & Water Department are working on calculations on water flow. FEMA funding still not certain.
- Old Route 13 bridge is now deemed open and safe for travel. Annual inspection is slated for next year.
- CCAP Update – electricity is being run for the sign, flags, etc. Still need carpentry work finished up plus air conditioning on the first floor.

**PUBLIC HEARING:**

- Motion by Councilmen Coon and Barnes at 7:40PM to open the public hearing concerning proposed local law #5, a local law to override tax levy limit established in general municipal law 3-c. All in favor and carried.
- Sandy Wilcox asked why we need to do on override. Supervisor Degear explained that this is procedural at this point as he is working on budget numbers.
- There being no further questions or concerns, motion by Councilmen Barnes and Jones to close the public hearing at 7:47PM. All in favor and carried.

- No action taken on override of tax levy limit.

NEW BUSINESS:

- Jim Laris spoke on behalf of Ruritan. They would like to build a gazebo on the Genevieve D. Staley Civic Center property. Mr. Laris and Mr. King briefly discussed the project. The Town of DeRuyter would have to be the “applicant” for the grant being applied for. The Town attorney would need to review the application.
- Tallet Road – Highway Superintendent Cook recommends a portion of Tallet Road be abandoned resulting from the lack of public use and that no town monies have been spent on this particular section of road since the year 1999. Motion by Councilmen Coon and Jones to adopt:

#56 RESOLVED: That this Town Board does hereby abandon the portion of Tallet Road beginning on the western border of the Town of DeRuyter eastward a distance of 0.22 miles (1,161 feet) over the middle branch of the Tioughnioga River resulting from the lack of public use. No Town monies have been spent on this particular section of road since the year 1999. The abandonment shall be effective upon the review and proper certification by the DeRuyter Town Board, any other legal requirements being met including but not limited to the filing of proper documents in the DeRuyter Town Clerk’s office and the Madison County Highway Superintendent’s office. Upon abandonment, the above mileage shall be removed from the official Town Highway Mileage Report filed with the New York State Department of Transportation. The roll call vote wa

- FES Installations, Inc. – Following a discussion of the upgrade to the security system, motion by Councilmen Barnes and Jones to accept the cost quotation #WB082713VIDEO in the amount of \$3,975.84. All in favor and carried.
- It has been reported that certain insurance companies will not issue or renew policies for property with gas leases/wells. Correspondence from Skeele Agency states that “All of our companies (over 25) will not write a new homeowners policy with a well on it and most if there’s a gas lease. If one has a gas lease in place, they may see a non-renewal in the near future, let alone be able to sell the property”. Supervisor Degear did some research and found that there are numerous insurance carriers willing to insure homeowners, land-owners or farm-owners with gas wells or leases. Correspondence from David Stein, President of L.I. Stein & Company, Inc. states that “This problem does not exist in Chautauqua County (with our 3400+ producing wells)”. Mr. Stein goes on to say that he would suggest if homeowners, landowners and or farm owners are having issues with their insurance company, they should seek out insurance agents from communities that have long-standing traditions of oil & gas production.
- Madison County is offering a Planning & Zoning Volunteer Appreciation Dinner meeting which will count as 4 hours of training credits. Motion by Councilmen Barnes and Coon to approve payment of \$23.50 per person for any Planning Board or Zoning Board members that wish to attend. All in favor and carried.

OTHER BUSINESS:

- Lake Preservation Foundation – correspondence and thank you for support.

- Madison County budget update.

PUBLIC COMMENTS: None

EXECUTIVE SESSION:

- Motion by Councilmen Coon and Jones to enter into Executive Session at 8:34PM as per Public Officers Law, §105(f) to discuss the employment history of a particular person. All in favor and carried. Highway Superintendent Cook and Clerk Wightman did not attend this session.
- Supervisor Degear reported that Councilmen Jones and Coon moved to end the executive session at 9:35PM.
- Motion by Councilmen Coon and Barnes to schedule a budget meeting for 7:30PM on September 24, 2013 and to change the regular October meeting to 7:30PM on October 3<sup>rd</sup> due to budget timelines. All in favor and carried.
  - Motion by Councilmen Barnes and Coon to accept the Supervisor’s statement. All in favor and carried.
  - Motion by Councilmen Barnes and Coon to pay the bills as audited

Abstract #1013	\$28,391.39
Abstract #1014	\$48,150.44

All in favor and carried.

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

Respectfully submitted,

Rebecca Wightman  
Town Clerk