

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, Deputy Clerk Marshall, Highway Superintendent Cook, Councilman Barnes, Councilman Hathaway and Councilman Jones. Councilman Coon was absent.

Supervisor Degear began the meeting with the Pledge of Allegiance.

Motion by Councilmen Barnes and Jones to accept the minutes of the August 11th meetings as presented. All in favor and carried.

TOWN CLERK'S REPORT:

- Monthly written report submitted.
- Since it was her last Town Board meeting, Clerk Wightman thanked the Board for their dedication, for always supporting the work of the Town Clerk/Collector's office and for supporting her personally. It has been an honor to serve this wonderful community.

HIGHWAY SUPERINTENDENT'S REPORT:

- Site work is done for the new salt/storage building.
- Ulster paving will be doing Mill Street repairs
- CHIPS update

SUPERVISOR'S REPORT:

- Financial statements and Supervisor's statement reviewed.

CORRESPONDENCE:

- Tromptown Historical Society update on their tax exempt status.
- ISO – Public Protection Classification: 06/6Y
- Mercy Flight Central – Request for funding. Tabled until next meeting.

OLD BUSINESS:

- Highway Department Property – Fowlers are ready to start the transfer of property. Survey will be done soon.
- Salt/Storage building project update
 - Electrical RFP – received quotes from Harnic (\$7,400), Patricia Electric (\$18,600), Huen (\$14,460) and B&D Enterprises (\$4,950). Motion by Councilmen Barnes and Jones to accept the proposal submitted by B&D Enterprises. All in favor and carried.
 - Project budget update
 - Bond sale notice reviewed

PUBLIC HEARING:

Motion by Councilmen Barnes and Jones to open the public hearing concerning Local Law #1 of 2016 at 7:45PM. All in favor and carried. Since there was no one present to speak either in favor or against said local law, motion by Councilmen Jones and Hathaway to close the public hearing. All in favor and carried.

NEW BUSINESS:

- 2017 Budget discussions. The budget officer should have the tentative budget to the board members by October 5th but, since the next board meeting is October 6th, the board members agreed that getting the tentative budget at the October 6th meeting is acceptable.
- Motion by Councilmen Barnes and Jones to adopt the following:

#65 RESOLVED: WHEREAS, The DeRuyter Town Board has been notified by DeRuyter Town Clerk/Collector, Rebecca Wightman, that she has submitted notification to the New York State Secretary of State regarding resignation of her position effective 11:59 pm on September 30, 2016; and

WHEREAS, the Town Clerk’s resignation has created a vacancy, as defined in Public Officer’s Law §30(1)(b), in the office of Town Clerk; and

WHEREAS, under Public Officer’s Law §42(1) and Town Law §64(5), the Town Board is authorized to appoint an individual to fill the vacancy in the office of Town Clerk for the balance of the unexpired term.

NOW THEREFORE BE IT RESOLVED that the DeRuyter Town Board hereby appoints Rebecca Marshall as Town Clerk/Collector, effective October 1, 2016 through December 31, 2017.

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	Absent	
Cedric Barnes	Councilman	Voted	Yes
Robert Hathaway	Councilman	Voted	Yes
Robert Jones	Councilman	Voted	Yes
Daniel Degear	Supervisor	Voted	Yes

The foregoing resolution was declared duly adopted.

- Local Law #1 of 2016
 - Motion by Councilmen Jones and Hathaway to adopt:
#66 RESOLVED: WHEREAS, Local Law #1 of 2016, A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-c, was introduced to the Town of DeRuyter Town Board on August 11, 2016; and

WHEREAS, Volume 6 N.Y.C.R.R. Part 17 of the Regulations relating to Article 8 of the Environmental Conservation Law of New York (SEQRA), requires that 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 considers the impacts of Local Law #1 of 2016.

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of DeRuyter 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.

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	Absent	
Cedric Barnes	Councilman	Voted	Yes
Robert Hathaway	Councilman	Voted	Yes
Robert Jones	Councilman	Voted	Yes
Daniel Degear	Supervisor	Voted	Yes

The foregoing resolution was declared duly adopted.

- o Motion by Councilmen Hathaway and Jones to adopt:
67 RESOLVED: WHEREAS, historically the Town of DeRuyter has carefully controlled costs and kept property taxes to a minimum by employing means, including the use of un-expended fund balance for tax rate stabilization, and shared services with other local governments; and

WHEREAS, estimates of the 2017 Town of DeRuyter budget suggest the need of an increase to the tax levy above and beyond the levy limit allowable under law; and

WHEREAS, this resolution is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a resolution approved by vote of sixty percent (60%) of the town board; and

WHEREAS, the Town Board of the Town of DeRuyter duly held a public hearing regarding the passage of Local Law #1 of 2016.

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of DeRuyter, County of Madison is hereby authorized to adopt a budget for the fiscal year 2017 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c.

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	Absent	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 declared duly adopted.

- Village of Hamilton Agreement for the purchase of salt brine – tabled until next month.
- Agreement with the Village of DeRuyter was reviewed. Motion by Councilmen Barnes and Hathaway authorizing the Supervisor to sign said two year agreement. All in favor and carried.

OTHER BUSINESS:

- Robbery of the DeRuyter Citizens Bank was discussed.
 - Town/Village Clean-up day will be October 15 from 7AM to noon.
 - Working on obtaining a waiver for taking old highway garage debris to the county landfill.
- Motion by Councilmen Jones and Hathaway to accept the Supervisor statement. All in favor and carried.
 - Motion by Councilmen Jones and Hathaway to approve payment of the following claims:

Abstract #16	\$22,581.16
Abstract #17	\$46,936.16

All in favor and carried.

- Motion by Councilmen Jones and Hathaway to adjourn. All in favor and carried.

Respectfully submitted,

Rebecca Wightman, Town Clerk