

APPROVED MINUTES

April 10, 2017

Two Public Hearings and the regular monthly meeting of the Town Board were held April 10, 2017 beginning at 7:15 pm at the Grand Gorge Civic Center. Present: Supervisor Thomas S. Hynes, Councilmen Gene Cronk, Edward Raeder, Allen Hinkley and Carol Murray, Assessor Robert Breglio, Parks Clerk Carolynn Faraci, Town Attorney Kevin Young and 8 residents. Absent: Highway Supt. Neil German (due to illness).

The Public Hearing regarding the Roxbury Water District Improvement Project was called to order at 7:15 pm. The notice calling for the Public Hearing was read. Michael Harrington of Lamont Engineers distributed handouts and discussed the proposed shared improvements, specific improvements for Roxbury Water and bonding of funds for same. Much of the work will be shared between Roxbury and Grand Gorge Water Districts, however there is specific work just for Roxbury Water District. Councilman Cronk stated he would like to see more testing for filtering PW2. Harrington responded that PW2 does not have adequate gallons/minute and the springs also have several months tested that show very low gallons/minute. Discussion also took place on funding sources. With no other comments the hearing closed at 7:44 pm.

The Public Hearing regarding the Grand Gorge Water District Improvement Project was called to order at 7:44 pm. The notice calling for the Public Hearing was read. Having discussed the shared work during the Roxbury Water hearing, Mr. Harrington discussed proposed work specific to Grand Gorge Water District. Joseph Resch expressed concerns as to why water tank painting would take precedence over replacing water lines. Plans are for replacing 2000 ft of water main lines but service line replacement would still be the responsibility of the homeowner. Discussion also took place on funding sources. With no other comments the hearing closed at 7:50 pm.

The regular meeting was called to order at 7:50 pm.

The Minutes of the March 13th regular meeting and the April 3rd Special Meeting were approved on motion of Carol Murray second by Gene Cronk.
AYES-5 Hinkley, Cronk, Raeder, Murray, Hynes
NAYS-0

Rita Karpoich of the Roxbury Business Association discussed the plans for the annual Sidewalk Festival which will now be the Roxbury Summer Festival. The event is expected to have more vendors, entertainment, a parade and horse drawn carriage rides. A permit application must be submitted to NYSDOT for events occurring on State Hwy 30.

Joseph Resch representing the Grand Gorge Community Action Group, requested the club be allowed to erect a plaque at the Civic Center playground in memory of Paul and David Martin who were instrumental in all they accomplished for Grand Gorge. The Town Board was in favor of the plaque. The club will design it for review by Councilmen Raeder and Murray before getting Town Board approval.

Representing the Grand Gorge Business Alliance, Mr. Resch stated they plan to hold a Business Expo at the Civic Center on September 30th and hope to have several local businesses represented.

Assessor Robert Breglio submitted a written monthly report to the Town Board and stated he is working on 2017 values for the Tentative Tax Roll, continues to compare the Town values to State values using models, questioned changing NYCDEP sewer line values per the appraisal as Town of Middletown is

planning to change theirs and expressed concerns with not being notified other than by hearing second hand about DEP Conservation Easements on properties. Attorney Young discussed the conservation easement process and will look further into the matter of notification.

Requests for Proposals (RFP) were advertised for architectural services for a space in the Kirkside Park North barn to be developed as a community kitchen. A total of three proposals were received and were as follows:

Vendor	Amount
Dadras Architects	\$9,750.00
James Jordan Associates	\$52,400 (plus \$5,400 reimbursable expenses)
Battaglia Lanza Architectural Group PC	\$68,697.50

Margaret Ellsworth discussed the proposals received and concerns with the great differences in price. Ms. Ellsworth stated she met with all of the company reps at the barns to discuss what is planned and recommends awarding to the low proposal contingent upon further interviews to make sure they will do as all work required by the RFP for the price as offered.

RESOLUTION #45- RESOLUTION BY THE TOWN BOARD OF THE TOWN OF ROXBURY
RETAINING DADRAS ARCHITECTS FOR KIRKSIDE KITCHEN PROJECT

On motion of Gene Cronk second by Edward Raeder the following resolution was offered and adopted: “WHEREAS, the Town of Roxbury desires to improve the north barn in Kirkside to be developed as a commercial, community kitchen to serve the agricultural community as well as artisan food producers (the “Project”); and

WHEREAS, Dadras Architects of Liberty, New York submitted a Proposal for Professional Consulting Services: Architectural Services dated April 3, 2017 (the “Proposal”), identifying tasks associated with the Proposal (“Architectural Services”) and costs associated with the Proposal (“Costs”); and

WHEREAS, the Town desires to retain Dadras Architects to perform the Architectural Services identified in the Proposal based on the estimated Costs in the Proposal; and

NOW THEREFORE BE IT RESOLVED THAT The Town Board of the Town of Roxbury hereby retains Dadras Architects of Liberty, New York to perform the Architectural Services identified in the Proposal based on the estimated Costs in the Proposal; and

BE IT FURTHER RESOLVED The Town Board of the Town of Roxbury authorizes the Town Supervisor to execute the necessary paperwork to retain Dadras Architects for the Project.”

WHEREUPON, the Resolution was put to a vote and recorded as follows:

AYES-5 Cronk, Raeder, Hinkley, Murray, Hynes

NAYS-0

Ellsworth also added she has begun the income surveys required for the proposed home rehabilitation grant application and Grand Gorge Civic Center renovation grant application.

Parks Clerk,Carolynn Faraci reported Hayden O’Shaughnessy took a picture of the Kirkside Park buildings for her school photography class and it will be used on the cover of the next MTC Telephone book. Congratulations to Hayden.

Michael Harrington distributed a handout of status and updated the Town Board on status of Denver Water improvements stating the work for a new Pressure Reducing Valve (PRV) vault is expected to begin next week. Discussion took place on NYS Dept. of Health (DOH) comments on the proposed well electric and tank telemetry work. Harrington requested advertising for bids for the well electric and tank telemetry upon DOH approval. NYS Environmental Facilities Corporation (EFC) is also requiring MWBE information to be added to Lamont Engineering agreements for the water projects.

RESOLUTION #46- RESOLUTION OF THE TOWN BOARD OF THE TOWN OF ROXBURY AUTHORIZING LAMONT ENGINEERS TO PREPARE NEXT PHASE BID DOCUMENTS AND ENGINEERING DESIGN DOCUMENTS RELATED TO DENVER WATER SYSTEM IMPROVEMENT PROJECT

On motion of Edward Raeder second by Allen Hinkley the following resolution was offered and adopted:
“WHEREAS, the Town of Roxbury’s Denver Water District (“DWD”) has entered into contracts for improvements to the Denver Water System (the “Project”); and
WHEREAS, the DWD and Lamont Engineers (“Lamont”) entered into an initial contract for project development services related to improvements to be made to the Denver Water System (the “Contract”);
WHEREAS, the next phases of the Project include final design and bidding phase services related to the Phase I Controls and Wellfield electrical construction contracts (Contracts 2 and 3); and
WHEREAS, Lamont shall prepare the final design and bidding phase services documents upon approval of the Town Board of the Town of Roxbury; and
NOW THEREFORE BE IT RESOLVED THAT The Town Board of the Town of Roxbury authorizes Lamont Engineers to proceed with the preparation of the final design and bidding phase services related to Phase I Controls and Wellfield electrical construction contracts (Contracts 2 and 3).”
WHEREUPON, the Resolution was put to a vote and recorded as follows:
AYES-5 Raeder, Hinkley, Cronk, Murray, Hynes
NAYS-0

RESOLUTION #47-GENERAL FUND LOAN TO DENVER WATER DISTRICT

On motion of Allen Hinkley second by Gene Cronk, the following resolution was offered and adopted:
“WHEREAS, the Town Board, on January 3, 2017, adopted a resolution authorizing the issuance of \$400,000 bonds of the Town of Roxbury to pay part of the \$1,000,000 maximum estimated cost of the increase and improvement of the facilities of the Town’s Denver Water District, in and for said Town; and
WHEREAS, no bonds have been obtained as of this date; and
WHEREAS, the Town Board, on February 13, 2017, awarded a bid to Evergreen Mountain Contractors, Inc. for installing a new Pressure Reducing Valve (PRV) vault in the amount of \$47,550.00; and
WHEREAS, said work is scheduled to begin next week; and
WHEREAS, no bond funds have been obtained as of this date;
NOW, THEREFORE BE IT RESOLVED, the Town Board authorizes costs for the Denver Water District PRV work to be paid by the Town’s General Fund which will be reimbursed upon the receipt of bond monies when obtained; and
BE IT FURTHER RESOLVED, General Fund shall be reimbursed the funds used for the PRV costs within one year of the date loaned.
AYES-5 Hinkley, Cronk, Raeder, Murray, Hynes
NAYS-0

RESOLUTION #48- RESOLUTION OF THE TOWN BOARD OF THE TOWN OF ROXBURY AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE AN AMENDMENT TO THE CONTRACT WITH THE DENVER WATER DISTRICT WITH LAMONT ENGINEERS TO INCLUDE AN ADDENDUM

On motion of Gene Cronk second by Edward Raeder the following resolution was offered and adopted:
“WHEREAS, the Denver Water District (“DWD”) and Lamont Engineers (“Lamont”) entered into an agreement for improvements to be made to the Denver Water System (the “Contract”);
WHEREAS, the State of New York (the “State”) is funding a portion of the improvements to be made to the Denver Water System; and
WHEREAS, the State requires an addendum to the Contract relating to minority/woman-owned business; and
WHEREAS, the addition of the addendum to the Contract relating to minority/woman-owned business

to the facilities of the Grand Gorge Water District, and shall be borne by the Grand Gorge Water District; and

WHEREAS, the capital project heretofore described, based on information supplied to the Town Board, has been determined by the Town Board to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which the Town Board has determined will not result in any significant environmental effects; and

WHEREAS, at a meeting of said Town Board on March 13, 2017, an order was duly adopted by it and entered in the minutes specifying that the said Board would meet to consider the increase and improvement of the facilities of the Town's Grand Gorge Water District, in said Town at an estimated maximum cost of \$1,705,500, and to hear all persons interested in the subject thereof concerning the same at the Civic Center, in Grand Gorge, New York, in said Town, on April 10, 2017, at 7:20 o'clock P.M., Prevailing Time; and

WHEREAS, a notice of adoption of said order duly certified by the Town Clerk was duly published and posted as required by law, to-wit: a duly certified copy thereof was published in the official newspaper of this Town, on March 29, 2017 and a copy of such notice was posted on March 29, 2017, on the signboard maintained by the Town Clerk of the Town of Roxbury, pursuant to Section 30, subdivision 6 of the Town Law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Roxbury, Delaware County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of the Town's Grand Gorge Water District, consisting of the increase and improvement of the distribution facilities of the Town's Grand Gorge Water District, storage tank painting and site improvements, water main replacement, selected valve and hydrant replacement, emergency generators for the Pressure Reducing Valve Vault and the storage tank site, and miscellaneous equipment procurement, and the increase and improvement of the water supply facilities of the Roxbury Water District for the joint benefit of the Grand Gorge Water District and the Roxbury Water District, including a new well, a new well control building and appurtenances and the rehabilitation of the PW-1 well house, together with emergency generators for PW-1, PW-3, the Roxbury Reservoir and the Roxbury Springs Station, a new chlorine contact main for PW-1 and PW-3, filtration for the Roxbury Spring Source to improve water quality, associated booster pumping, and controls system replacement, in the Town of Roxbury, Delaware County, New York, including incidental expenses in connection therewith, at an estimated maximum cost of \$1,705,500.

Section 2. This order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll, which resulted as follows:

<u>Allen Hinkley</u>	<u>VOTING AYE</u>
<u>Carol Murray</u>	<u>VOTING AYE</u>
<u>Gene Cronk</u>	<u>VOTING AYE</u>
<u>Edward Raeder</u>	<u>VOTING AYE</u>
<u>Thomas S. Hynes</u>	<u>VOTING AYE</u>

The order was thereupon declared duly adopted.

The following resolution was offered by Councilwoman Carol Murray who moved its adoption, seconded by Councilman Edward Raeder, to-wit:

RESOLUTION #50

 In the Matter
 of
 the Increase and Improvement of the Facilities of
 the Roxbury Water District in the Town of
 Roxbury, Delaware County, New York

PUBLIC INTEREST ORDER

WHEREAS, the Town Board of the Town of Roxbury, Delaware County, New York, has duly caused Lamont Engineers, engineers duly licensed in the State of New York, to prepare a Preliminary Engineering Report, dated September 1, 2016, constituting a map, plan and an estimate of cost, pursuant to Section 202-b of the Town Law (the "Report"), relating to the increase and improvement of the distribution facilities of the Town's Roxbury Water District, including water main replacement, selected valve and hydrant replacement, and miscellaneous equipment procurement, and the increase and improvement of the water supply facilities of the Roxbury Water District for the joint benefit of the Roxbury Water District and the Grand Gorge Water District, including a new well, a new well control building and appurtenances and the rehabilitation of the PW-1 well house, together with emergency generators for PW-1, PW-3, the Roxbury Reservoir and the Roxbury Springs Station, a new chlorine contact main for PW-1 and PW-3, filtration for the Roxbury Spring Source to improve water quality, associated booster pumping, and controls system replacement, in the Town of Roxbury, Delaware County, New York, all as more fully described in the Report, which Report is on file in the office of the Town Clerk where it is available for public inspection during normal business hours; and

WHEREAS, the Roxbury Water District is entirely contained within the Town; and

WHEREAS, the maximum amount proposed to be expended for said increase and improvement is \$1,794,500, which amount shall be allocated and charged as the cost of various capital improvements to the facilities of the Roxbury Water District, and shall be borne by the Roxbury Water District; and

WHEREAS, the capital project heretofore described, based on information supplied to the Town Board, has been determined by the Town Board to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which the Town Board has determined will not result in any significant environmental effects; and

WHEREAS, at a meeting of said Town Board on March 13, 2017, an order was duly adopted by it and entered in the minutes specifying that the said Board would meet to consider the increase and improvement of the facilities of the Town's Roxbury Water District, in said Town at an estimated maximum cost of \$1,794,500, and to hear all persons interested in the subject thereof concerning the same at the Civic Center, in Grand Gorge, New York, in said Town, on April 10, 2017, at 7:15 o'clock P.M., Prevailing Time; and

WHEREAS, a notice of adoption of said order duly certified by the Town Clerk was duly published and posted as required by law, to-wit: a duly certified copy thereof was published in the official newspaper of this Town, on March 29, 2017 and a copy of such notice was posted on March 29, 2017, on the signboard maintained by the Town Clerk of the Town of Roxbury, pursuant to Section 30, subdivision 6 of the Town Law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Roxbury, Delaware County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of the Town's Roxbury Water District, consisting of the increase and improvement of the distribution facilities of the Town's Roxbury Water District, including water main replacement, selected valve and hydrant replacement, and miscellaneous equipment procurement, and the increase and improvement of the water supply facilities of the Roxbury Water District for the joint benefit of the Roxbury Water District and the Grand Gorge Water District, including a new well, a new well control building and appurtenances and the rehabilitation of the PW-1 well house, together with emergency generators for PW-1, PW-3, the Roxbury Reservoir and the Roxbury Springs Station, a new chlorine contact main for PW-1 and PW-3, filtration for the Roxbury Spring Source to improve water quality, associated booster pumping, and controls system replacement, in the Town of Roxbury, Delaware County, New York, including incidental expenses in connection therewith, at an estimated maximum cost of \$1,794,500.

Section 2. This order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll, which resulted as follows:

<u>Carol Murray</u>	<u>VOTING</u>	<u>AYE</u>
<u>Edward Raeder</u>	<u>VOTING</u>	<u>AYE</u>
<u>Gene Cronk</u>	<u>VOTING</u>	<u>AYE</u>
<u>Allen Hinkley</u>	<u>VOTING</u>	<u>AYE</u>
<u>Thomas S. Hynes</u>	<u>VOTING</u>	<u>AYE</u>

The order was thereupon declared duly adopted.

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The following resolution was offered by Councilman Allen Hinkley, who moved its adoption, seconded by Councilman Gene Cronk to-wit:

RESOLUTION #51

BOND RESOLUTION DATED APRIL 10, 2017.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,705,500 BONDS OF THE

TOWN OF ROXBURY, DELAWARE COUNTY, NEW YORK, TO PAY THE \$1,705,500 MAXIMUM ESTIMATED COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE TOWN'S GRAND GORGE WATER DISTRICT, IN AND FOR SAID TOWN.

RESOLVED, by the Town Board of the Town of Roxbury, Delaware County, New York, as follows:

Section 1. For the class of objects or purposes of paying part of the cost of the increase and improvement of the distribution facilities of the Town's Grand Gorge Water District, including storage tank painting and site improvements, water main replacement, selected valve and hydrant replacement, emergency generators for the Pressure Reducing Valve Vault and the storage tank site, and miscellaneous equipment procurement, and the increase and improvement of the water supply facilities of the Roxbury Water District for the joint benefit of the Grand Gorge Water District and the Roxbury Water District, including a new well, a new well control building and appurtenances and the rehabilitation of the PW-1 well house, together with emergency generators for PW-1, PW-3, the Roxbury Reservoir and the Roxbury Springs Station, a new chlorine contact main for PW-1 and PW-3, filtration for the Roxbury Spring Source to improve water quality, associated booster pumping, and controls system replacement, in the Town of Roxbury, Delaware County, New York, there are hereby authorized to be issued \$1,705,500 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$1,705,500, and the plan for the financing thereof is by the issuance of the \$1,705,500 bonds of the Town of Roxbury, Delaware County, New York, authorized to be issued pursuant to this resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision one of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds authorized shall exceed five years, and that the foregoing is an assessable improvement.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Town Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Town Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Roxbury, Delaware County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid by the assessment of assessable properties in the Grand Gorge Water District, there shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the

principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Roxbury, Delaware County, New York, by the manual or facsimile signature of the Town Supervisor and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Town Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he or she shall deem best for the interests of the Town, provided, however, that in the exercise of these delegated powers, he or she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Town Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Town Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Town Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Town Supervisor shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, shall be published in summary in the *Catskill Mountain News*, the official newspaper of the Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

<u>Allen Hinkley</u>	<u>VOTING</u>	<u>AYE</u>
<u>Gene Cronk</u>	<u>VOTING</u>	<u>AYE</u>
<u>Edward Raeder</u>	<u>VOTING</u>	<u>AYE</u>
<u>Carol Murray</u>	<u>VOTING</u>	<u>AYE</u>
<u>Thomas S. Hynes</u>	<u>VOTING</u>	<u>AYE</u>

The resolution was thereupon declared duly adopted.

The following resolution was offered by Councilman Gene Cronk, who moved its adoption, seconded by Councilman Allen Hinkley, to-wit:

RESOLUTION #52

BOND RESOLUTION DATED APRIL 10, 2017.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,794,500 BONDS OF THE TOWN OF ROXBURY, DELAWARE COUNTY, NEW YORK, TO PAY THE \$1,794,500 MAXIMUM ESTIMATED COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE TOWN'S ROXBURY WATER DISTRICT, IN AND FOR SAID TOWN.

RESOLVED, by the Town Board of the Town of Roxbury, Delaware County, New York, as follows:

Section 1. For the class of objects or purposes of paying part of the cost of the increase and improvement of the distribution facilities of the Town's Roxbury Water District, including water main replacement, selected valve and hydrant replacement, and miscellaneous equipment procurement, and the increase and improvement of the water supply facilities of the Roxbury Water District for the joint benefit of the Roxbury Water District and the Grand Gorge Water District, including a new well, a new well control building and appurtenances and the rehabilitation of the PW-1 well house, together with emergency generators for PW-1, PW-3, the Roxbury Reservoir and the Roxbury Springs Station, a new chlorine contact main for PW-1 and PW-3, filtration for the Roxbury Spring Source to improve water quality, associated booster pumping, and controls system replacement, in the Town of Roxbury, Delaware County, New York, there are hereby authorized to be issued \$1,794,500 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$1,794,500, and the plan for the financing thereof is by the issuance of the \$1,794,500 bonds of the Town of Roxbury, Delaware County, New York, authorized to be issued pursuant

to this resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision one of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds authorized shall exceed five years, and that the foregoing is an assessable improvement.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Town Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Town Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Roxbury, Delaware County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid by the assessment of assessable properties in the Roxbury Water District, there shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Roxbury, Delaware County, New York, by the manual or facsimile signature of the Town Supervisor and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Town Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he or she shall deem best for the interests of the Town, provided, however, that in the exercise of these delegated powers, he or she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Town Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Town Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the

consolidation with other issues, shall be determined by the Town Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Town Supervisor shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, shall be published in summary in the *Catskill Mountain News*, the official newspaper of the Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

<u>Gene Cronk</u>	<u>VOTING AYE</u>
<u>Allen Hinkley</u>	<u>VOTING AYE</u>
<u>Edward Raeder</u>	<u>VOTING AYE</u>
<u>Carol Murray</u>	<u>VOTING AYE</u>
<u>Thomas S. Hynes</u>	<u>VOTING AYE</u>

The resolution was thereupon declared duly adopted.

Highway Supt. Neil German was absent due to illness but sent a report stating crews have been sweeping roads, putting in culverts, cleaning ditches, hauling in materials and cutting brush. He also requested Town Board approval of upgrading the snowplow for the new truck that has been ordered at an additional cost of \$522.

RESOLUTION #53-UPGRADE SNOW PLOW FOR NEW TRUCK

On motion of Allen Hinkley second by Gene Cronk the following resolution was offered and adopted: "WHEREAS, the Town Board authorizes the Highway Supt. to order a 2017 Ford Super Duty F-550 truck with dump body and snow plow under National Joint Powers Alliance (NJPA) Bid #102811 at a cost of \$99,068.00 as budgeted for 2017; and

WHEREAS, the Highway Supt. requests upgrading the snow plow under NJPA Bid #120716 at an additional cost of \$522;

RESOLVED, the Town Board authorizes the upgrade of the snow plow ordered with the new 2017 Ford Super Duty F550 truck under NJPA Bid # 120716 at an additional cost of \$522.”

AYES-5 Hinkley, Cronk, Raeder, Murray, Hynes

NAYS-0

The Town Board received a letter from Larry Truesdell resigning his fill-in position at the Transfer Station effective March 23, 2017.

On motion of Edward Raeder second by Gene Cronk the Town Board regretfully accepted the resignation of Larry Truesdell from the Transfer Station effective March 23, 2017.

AYES-5 Raeder, Cronk, Hinkley, Murray, Hynes

NAYS-0

A letter will be sent to Mr. Truesdell thanking him for his years of service at the Transfer Station.

A card was received from the family of Vernon Pickett, Jr. thanking the Town Board and employees for flowers and sympathy cards sent.

On motion of Carol Murray second by Gene Cronk the Town Board approved the Town Clerk’s monthly report for March 2017 in the amount of \$1,232.74 (Town Clerk \$252.74 and Building Permits \$980.00)

AYES-5 Murray, Cronk, Raeder, Hinkley, Hynes

NAYS-0

On motion of Edward Raeder second by Allen Hinkley the Town Board approved the Supervisor’s monthly report for February 2017.

AYES-5 Raeder, Hinkley, Cronk, Murray, Hynes

NAYS-0

On motion of Gene Cronk second by Allen Hinkley the Town Board approved the Assessor’s monthly report for March 2017.

AYES-5 Cronk, Hinkley, Raeder, Murray, Hynes

NAYS-0

On motion of Allen Hinkley second by Gene Cronk the Town Board approved the Building Inspector’s monthly report for March 2017 and April through April 4, 2017.

AYES-5 Hinkley, Cronk, Raeder, Murray, Hynes

NAYS-0

On motion of Carol Murray second by Edward Raeder the Town Board approved the Water District monthly report of water receipts in the following amounts: Denver Water \$139.92; Grand Gorge Water \$262.26 and Roxbury Water \$446.34.

AYES-5 Murray, Raeder, Cronk, Hinkley, Hynes

NAYS-0

No monthly reports were approved for the Justice Court for February and March as invoices have not yet been received from the State.

On motion of Edward Raeder second by Carol Murray the Town Board approved the Tax Collector’s monthly report for March 2017.

AYES-5 Raeder, Murray, Cronk, Hinkley, Hynes
NAYS-0

RESOLUTION #54-NYS DOT PERMIT APPLICATIONS FOR MEMORIAL DAY PARADE AND SUMMER FESTIVAL

On motion of Allen Hinkley second by Edward Raeder the following resolution was offered and adopted:
“RESOLVED, the Town Board agrees to sponsor the Memorial Day Parades and Roxbury Summer Festival; and

BE IT FURTHER RESOLVED, the Town Board authorizes PERM 33 permit applications to be submitted to NYS Dept. of Transportation (NYS DOT) as required under the insurances of tne Town of Roxbury.”

AYES-5 Hinkley, Raeder, Cronk, Murray, Hynes
NAYS-0

RESOLUTION #55-TAX COLLECTOR RECORDS DESTRUCTION

On motion of Gene Cronk second by Allen Hinkley the following resolution was offered and adopted:
“RESOLVED, the Town Board authorizes the following Tax Collector records to be destroyed pursuant to Records & Retention Schedules:

<u>SARA #</u>	<u>Description of Record</u>	<u>Dates</u>	<u>SARA Yrs.</u>
1.595a	Copy of Tax Collector late notice mailed	2010	6 years
1.602a	Real Property Transfer Report (EA5217 Form) Bank & Mortgage Co. requests for tax	2010	6 years (copy also filed in Assessor Office)
4.409a	information	2010	6 months
1.595a	Receiver's stub	2010	6 years
4.849	Taxpayer change of address	2010	Keep as needed-original in Assessor's Office
2.596	Delinquent Tax Report	2010	6 years
10.10b	Communication to/from County re: taxes	2010	6 years

AYES-5 Cronk, Hinkley, Raeder, Murray, Hynes
NAYS-0

Notification has been received from Shepard Hills Events, LLC, located at Shepard Hills Golf Course, that they are applying for a NYS liquor license for that location and have requested waiving the 30 day hold for the license.

RESOLUTION #56-LIQUOR LICENSE SHEPARD HILLS EVENTS, LLC

On motion of Gene Cronk second by Allen Hinkley the following resolution was offered and adopted:
“WHEREAS, the Town Board has received notification that Shepard Hills Events, LLC, to be located at Shepard Hills Golf Course, will be applying for a NYS Liquor License; and

WHEREAS, Shepard Hills Events, LLC has requested waiving the 30 day hold on said license;

NOW, THEREFORE BE IT RESOLVED, the Town Board has no objections with the issuance of a liquor license to Shepard Hills Events, LLC; and

BE IT FURTHER RESOLVED, the Town Board approves waiving the 30 day license hold.”

AYES-5 Cronk, Hinkley, Raeder, Murray, Hynes
NAYS-0

No action was taken on filling the vacancy of Planning Board Alternate member.

A Catskill Watershed Corp. (CWC) report shows they have repaired 7,128 septic in the area and have awarded \$152,000 in grants for organizations in the area.

RESOLUTION #57- RESOLUTION TO GO INTO EXECUTIVE SESSION TO DISCUSS

PERSONNEL ISSUES

On motion of Allen Hinkley second by Edward Raeder the following resolution was offered and adopted: “Motion to go into Executive Session at 8:48 pm to address personnel issues and related legal issues with the Town Attorney. The communications will be privileged and confidential and protected by the attorney/client privilege.”

Present in Executive Session: Supervisor Hynes, Councilmen Hinkley, Cronk, Raeder, Murray, Attorney Young and Michael Muller.

AYES-5 Hinkley, Cronk, Raeder, Murray, Hynes
NAYS-0

Michael Muller exited Executive Session at 9:05 pm and Constable Stephen Williamson entered Executive Session.

On motion of Carol Murray second by Edward Raeder the Town Board returned to the Regular Meeting at 9:20 pm.

AYES-Cronk, Murray, Raeder, Hinkley, Hynes
NAYS-0

RESOLUTION #58- RESOLUTION BY THE TOWN BOARD OF THE TOWN OF ROXBURY
RETAINING MICHAEL MULLER AS CODE ENFORCEMENT OFFICER

On motion of Edward Raeder second by Carol Murray the following resolution was offered and adopted: “WHEREAS, the Town of Roxbury (“Town”) desires to retain Michael G. Muller, with an address of 111 Cartwright Road, Denver, New York, as Code Enforcement Officer (“CEO”) for the Town of Roxbury; and

WHEREAS, the Town has prepared an Employment Agreement dated April 11, 2017, to retain Michael G. Muller as CEO; and

NOW THEREFORE BE IT RESOLVED THAT The Town Board of the Town of Roxbury authorizes the Town Supervisor to execute the Employment Agreement to retain Michael G. Muller as CEO of the Town.”

WHEREUPON, the Resolution was put to a vote and recorded as follows:

AYES-5 Raeder, Murray, Cronk, Hinkley, Hynes
NAYS-0

On motion of Gene Cronk second by Carol Murray the bills were audited and ordered paid in the following amounts:

General #129-171	\$34,217.23	Denver Water #25-32	\$3,547.88
Highway #63-91	\$68,975.80	Roxbury Sewer #19-24	\$23,615.97
Roxbury Water #18-30	\$11,404.33	Denver Sewer #30-41	\$16,018.58
Grand Gorge Water #18-33	\$15,476.15	Special Light Districts #6	\$2,169.57

AYES-5 Cronk, Murray, Cronk, Hinkley, Hynes
NAYS-0

Supervisor Hynes stated the Constable car phone has been changed to a different plan and future invoices should reflect a decrease in monthly costs.

On motion of Edward Raeder second by Carol Murray the meeting adjourned at 9:25 pm.

THIS IS A TRUE COPY

Diane Pickett, Town Clerk
Thomas S. Hynes, Supervisor
Gene Cronk, Councilman
Edward Raeder, Councilman
Allen Hinkley, Councilman
Carol Murray, Councilwoman

negotiable