

APPROVED MINUTES

September 14, 2015

The regular meeting of the Town Board was held September 14, 2015 at 7:30 pm at the Town Hall. Present were: Supervisor Thomas S. Hynes, Councilmen Gene Cronk, Edward Raeder, Allen Hinkley and Carol Murray, Hwy. Supt. Stephen Schuman, Attorney Kevin Young and 2 residents.

The Minutes of the August 10th meeting were approved on motion of Gene Cronk second by Allen Hinkley.

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

NAYS-0

Hwy. Supt. Stephen Schuman stated stone & oil has been completed for the year on 16 miles of road, crews are doing repairs & widening the top of West Settlement Rd., working dirt roads for winter, ditching roads for 2016 stone & oil, the water filter system has been installed at the garage and he would like to include a new Ford 550 truck for the 2016 budget.

Councilwoman Murray questioned Johnson Hollow Rd. being in very bad need of repairs and sides eroding in spots. The matter was discussed. The Highway Supt. stated crews have been placing more stone and filling in those areas but to fix it right would cost \$200,000 +/- and no organization wants to fund it at this time.

A written Assessor report was distributed to the Town Board. Assessor Clerk Stephanie Seminara stated she has not received many calls regarding the school tax bills incorporating the new re-val figures, Assessor Breglio is back to work, they are waiting to hear on a SCAR decision and have two Article 7 assessment cases in October.

Parks Clerk, Carolynn Faraci reported the Labor Day event was a success adding that the same is planned for next year but will also hold a pancake breakfast, discussed work that has been completed in the park and stated more bad trees are to be removed.

A possible leak was excavated on Cronk Lane, however no problem was found. A representative from Rural Water will be here tomorrow to help locate the problem.

An estimate of work for repairs to the Transfer Station concrete was received from B&B Construction in the amount of \$9,800. Repairs will require the station to be closed for a few days. The Highway Dept. is expected to complete the welding portion of the work.

RESOLUTION #69-APPROVE B&B CONSTRUCTION ESTIMATE ON TRANSFER STATION REPAIRS

On motion of Allen Hinkley second by Gene Cronk the following resolution was offered and adopted:

“RESOLVED, the Town Board accepts the proposal of B&B Construction for repairs to the Transfer Station in the amount of \$9,800.00; and

BE IT FURTHER RESOLVED, per the proposal, the Town Board approves the cost of a pump truck if needed at a cost of \$950.00 per use.”

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

NAYS-0

Councilman Raeder reported on several broken/cracked windows at the Civic Center. The matter will be looked into further.

A NYSEG energy audit was conducted on the Town Hall where lighting would be switched over to

LED at a cost of \$2,290.43. Through the program, the Town's share would be \$890.11.

RESOLUTION #70-APPROVE NYSEG ENERGY PROGRAM

On motion of Carol Murray second by Edward Raeder the following resolution was offered and adopted:

“RESOLVED, the Town Board approves the changes to lighting at the Town Hall through the NYSEG Energy Efficiency Program at a cost of \$890.11.”

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

NAYS-0

A proposal was received from Lamont Engineers, PC for preparing the design, bid specs and bid materials in the amount of \$10,000. Discussion took place on using Good Neighbor funds for some costs to upgrade the generator at the highway garage.

RESOLUTION #71-ACCEPT LAMONT ENGINEERING PROPOSAL FOR GENERATOR BID

On motion of Allen Hinkley second by Gene Cronk the following resolution was offered and adopted:

“RESOLVED, the Town Board accepts the proposal of Lamont Engineer, PC to prepare the design, specifications and bid documents for upgrading the generator at the highway garage at a cost of \$10,000; and

BE IT FURTHER RESOLVED, the Town Board authorizes the use of \$25,000 of Good Neighbor Funds to pay for costs associated with the generator and the engineering of same provided said use is approved by NYC DEP.”

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

NAYS – 0

A letter was received from Diana Santos requesting late fees be waived on her Roxbury Water account that resulted from a late payment of \$.44 charged to her account on 8/3/15. The matter was discussed by the Town Board.

On motion of Gene Cronk second by Edward Raeder the Town Board agreed the \$.44 late fee charged for the Roxbury Water District account #186 of Diana Santos was not to be credited.

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

NAYS-0

A letter was received from Jay and Deborah Gula requesting to hook up their house, located at 60090 State Hwy 30, Grand Gorge, to the Grand Gorge Water District. A stub had been installed when the water line had been run from Roxbury Water.

RESOLUTION #72 – APPROVE GULA HOOKUP TO GRAND GORGE WATER

On motion of Edward Raeder second by Carol Murray the following resolution was offered and adopted:

“WHEREAS, the Town Board has received a letter from Jay & Deborah Gula requesting permission to connect their house, Tax Map #91.-1-56.7, located at 60090 State Hwy 30, to the Grand Gorge Water line; and

WHEREAS, the property is outside of the Grand Gorge Water District; and

WHEREAS, a stub was installed on the water main when the line was run from Roxbury Water to Grand Gorge Water;

NOW, THEREFORE BE IT RESOLVED, the Town Board authorizes Jay & Deborah Gula to connect their house, Tax Map #91.-1-56.7, located at 60090 State Hwy 30, to the Grand Gorge Water line at their own expense, a meter would be supplied by the water district and provided they execute a water connection agreement; and

BE IT FURTHER RESOLVED, once the lateral line is connected, the property will be added to the Grand Gorge Water District on the tax roll.”

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

A letter was received from Highway Supt. Stephen Schuman stating that he is retiring from said position effective November 16, 2015.

On motion of Allen Hinkley second by Gene Cronk the Town Board regretfully accepted the retirement of Highway Supt. Stephen effective November 15, 2015.

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

An email was received from Fran DiGregorio on behalf of the owners of Stratton Falls Campsite, Anna & Stanislaw Duszak, questioning what could be done about the new owners of the Stratton Falls house property, which contains the falls, posting the property as No Trespassing. The Town Board took no action on the matter because it is not Town business as it currently stands.

Budget OfficerCarolynn Faraci discussed the Tax Freeze program which would allow for property owners to receive a small rebate check, much like the school tax rebate checks that were received. The Nov. 2014 Local Law to override the tax levy limit would have to be rescinded and a tax plan would be required to be submitted to the State.

RESOLUTION #73 - RESOLUTION OF THE ROXBURY TOWN BOARD ACCEPTING PROPOSED LOCAL LAW TO RESCIND LOCAL LAW NO. 3 OF 2014 AND TO OVERRIDE THE TAX LEVY LIMIT FOR FISCAL YEAR 2016 AS ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c AND SCHEDULING PUBLIC HEARING FOR SAME

On motion of Carol Murray second by Edward Raeder the following resolution was offered and adopted:

“WHEREAS, on June 24, 2011 the New York State Legislature enacted Chapter 97 of the NYS Laws of 2011, hereinafter referred to as the “General Municipal Law §3-c”;

WHEREAS, General Municipal Law §3-c expressly authorizes local governments to override the tax levy limit by the adoption of a local law approved by a vote of at least sixty percent (60%) of the total voting power of the governing body (in this case, the “Roxbury Town Board”);

WHEREAS, the Town’s Attorney has prepared a proposed Local Law to Rescind Local Law No. 3 of 2014 since the 2015 Budget was kept within the tax levy limit thereby insuring that the qualifying taxpayers of the Town of Roxbury receive their rebates from New York State and to Override the Tax Levy Limit for fiscal year 2016 as established in General Municipal Law §3-c; and

WHEREAS, the Town Board has reviewed and modified the proposed Local Law to Rescind Local Law No. 3 of 2014 and to Override the Tax Levy Limit for fiscal year 2016 as established in General Municipal law §3-c; and

NOW, THEREFORE, BE IT RESOLVED that the proposed law is ready for consideration by the Town Board; and

BE IT FURTHER RESOLVED that the Town Board shall will hold a public hearing for consideration of the Local Law to Rescind Local Law No. 3 of 2014 and to Override the Tax Levy Limit for fiscal year 2016 as established in General Municipal Law §3-c on October 12, 2015 at 7:15 pm at the Town Hall; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized and directed to publish notice of said hearing in the Catskill Mountain News, and to post copies of such notice in the manner provided by law.”

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

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

No action was taken on the Police Policy as still being reviewed by the attorney.

On motion of Gene Cronk second by Carol Murray the Town Board approved the Town Clerk's monthly report for August 2015 in the amount of \$1,847.99 (Town Clerk \$687.99 and Building Permits \$1,160.00)

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

NAYS-0

On motion of Allen Hinkley second by Gene Cronk the Town Board approved the Supervisor's monthly report for July 2015.

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

NAYS-0

On motion of Carol Murray second by Gene Cronk the Town Board approved the Justice Court monthly report for July 2015 in the amount of \$2,598.00.

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

NAYS-0

On motion of Edward Raeder second by Allen Hinkley the Town Board approved the Assessor's report for August 2015.

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

NAYS-0

On motion of Allen Hinkley second by Gene Cronk the Town Board approved the Building Inspector's monthly report for August.

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

NAYS-0

On motion of Edward Raeder second by Gene Cronk the Town Board approved the monthly water receipts report for August 2015 in the following amounts: Denver Water \$787.82; Grand Gorge Water \$665.23 and Roxbury Water \$337.68.

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

NAYS-0

On motion of Edward Raeder second by Carol Murray the Town Board approved the CDBG (HUD) Program monthly report for August 2015 which reflects a balance of \$32,546.00.

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

NAYS-0

RESOLUTION #74-ADVERTISE BIDS FOR FUEL OIL

On motion of Carol Murray second by Edward Raeder the following resolution was offered and adopted:

"RESOLVED, the Town Board will advertise for sealed bids for 9,000 gal +/- No. 2 Fuel Oil for the 2015/2016 heating season; and

BE IT FURTHER RESOLVED, said bids must be received before 2:00 pm on October 9, 2015 at which time they will be opened. Any award will be made at the October 12, 2015 Town Board meeting."

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

NAYS-0

On motion of Edward Raeder second by Carol Murray the Town Board approves the annual audit of Town finances for the year 2014 as completed by Mostert, Manzanaro & Scott, LLP, CPA and is on file at the Town Clerk's Office.

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

NAYS-0

RESOLUTION #75 – JUSTICE COURT RECORD REVIEW

On motion of Allen Hinkley second by Gene Cronk the following resolution was offered and adopted:

“RESOLVED, the Town Board, Town of Roxbury acknowledges that pursuant Section 2019-a of the Uniform Justice Court Act the records of the Town Justice Court for the year 2014 have been examined by the firm of Mostert, Manzanero & Scott, LLP; and
BE IT FURTHER RESOLVED, that said examination report shall be filed with the State of New York Unified Court System.”

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

On motion of Edward Raeder second by Carol Murray the Town Board approves the destruction of the following records per SARA codes:

<u>SARA #</u>	<u>Description of Record</u>	<u>Dates</u>	<u>SARA Yrs.</u>
1.595a	Copy of Tax Collector late notice mailed	2008	6 years
1.602a	Real Property Transfer Report (EA5217 Form)	2008	6 yrs-duplicate filed in Assessor Office
4.409a	Bank/mortgage co. request for tax information	2008	6 months
1.595a	Receiver's stub	2008	6 years
4.849	Change of address copies	2008	Keep as needed-original in Assessor's Office
2.596	Delinquent Tax Report	2008	6 years
10.10b	Communication to/from County/taxpayer re:taxes	2008	6 years

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

No action was taken on revising the Grand Gorge and Roxbury Water District bylaws.

RESOLUTION #76 – RESOLUTION TO GO INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL/SALARY ISSUES

On motion of Carol Murray second by Gene Cronk the following resolution was offered and adopted:

“RESOLVED, the Town Board agreed to enter into Executive Session at 8:40 pm to discuss personnel issues involving 2016 budget salaries. Present were: Supervisor Thomas S. Hynes, Councilmen Allen Hinkley, Edward Raeder, Gene Cronk and Carol Murray, and Attorney Kevin Young.”

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

On motion of Carol Murray second by Allen Hinkley the Town Board and attorney returned to the regular meeting at 9:08 pm where it was stated that no action was taken during Executive Session and the Personnel Committee continues to work on the budget salaries.

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

General #378-439	\$40,002.12	Roxbury Sewer #57-64	\$24,315.56
Highway #185-204	\$245,623.88	Denver Sewer #77-87	\$14,705.70
Roxbury Water #62-70	\$3,304.61	Special Light Districts #11-12	\$2,236.52
Grand Gorge Water #70-77	\$3,682.69	Capital Projects:	
Denver Water #60-65	\$2,084.60	CDBG (HUD) Program #4	\$8,250.00

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

On motion of Carol Murray second by Edward Raeder the meeting adjourned at 9:10 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