

APPROVED MINUTES

February 13, 2017

The regular monthly meeting of the Roxbury Town Board was held February 13, 2017 at 7:30 pm at the Town Hall. Present were: Supervisor Thomas S. Hynes, Councilmen Gene Cronk, Edward Raeder, Allen Hinkley and Carol Murray, Parks Clerk/Bookkeeper Carolynn Faraci, Assessor Clerk Stephanie Seminara, Attorney Kevin Young and 6 residents. Absent: Highway Supt. Neil German and Building Inspector William Walcutt.

The Minutes of the January 2017 Organizational Meeting were approved on motion of Gene Cronk second by Allen Hinkley.

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

NAYS-0

Jeffrey Laban of Lamont Engineers, PC was present to discuss the next steps for the Denver Water Project of which a packet of information was distributed to the Town Board. The bid on the PRV Building needs to be awarded as recommended, to the low bidder, Evergreen Mountain Construction, and tank telemetry and well field electric work was also found to be needed as soon as possible.

RESOLUTION #23- AWARDING BID FOR PRESSURE REDUCING VALVE REHABILITATION PROJECT AT THE DENVER WATER DISTRICT SYSTEM

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

“WHEREAS, the Town Board of the Town of Roxbury has determined the necessity of a project named Denver Water District Water System Improvements Project to repair and replace critical water system infrastructure of the Denver Water District; and

WHEREAS, said Denver Water District Water System Improvements Project is subject to the requirements of the New York State Environmental Quality Review Act (6 NYCRR Part 617) and regulations enacted pursuant thereto; and

WHEREAS, the Town Board has carefully considered the likely environmental impacts of the Denver Water District Water System Improvements Project and determined that the Denver Water District Water System Improvements is a Type II Action pursuant to SEQR; and

WHEREAS, the Denver Water District solicited bids for the installation of a pressure reducing valve as a critical repair requiring immediate action;

WHEREAS, Evergreen Mountain Contracting, Inc. was the lowest qualified bidder;

Whereas, Lamont Engineers have reviewed the bid documents and confirmed that Evergreen Mountain Contracting, Inc. bid is qualified;

NOW, THEREFORE BE IT RESOLVED by the Town Board of the Town of Roxbury that the Pressure Reducing Valve Rehabilitation Project at the Denver Water District Water System be awarded to Evergreen Mountain Contracting, Inc. and that the Town Supervisor is authorized to execute the documents necessary for implementation of that project including the construction contract.”

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

NAYS-0

RESOLUTION #24-PROCEED WITH DESIGN OF DENVER WATER TANK TELEMETRY AND WELL REPAIRS

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

“WHEREAS, the Town Board of the Town of Roxbury has determined the necessity of a project named Denver Water District Water System Improvements Project to repair and replace critical water system infrastructure of the Denver Water District; and

WHEREAS, said Denver Water District Water System Improvements Project is subject to the requirements of the New York State Environmental Quality Review Act (6 NYCRR Part 617) and regulations enacted pursuant thereto; and

WHEREAS, the Town Board has carefully considered the likely environmental impacts of the Denver Water District Water System Improvements Project and determined that the Denver Water District Water System Improvements is a Type II Action pursuant to SEQRA; and

WHEREAS, based on the engineering study conducted to date and consulting with the Denver Run HOA, the Town Board has determined that it is in the best interest of the Denver Water District to implement certain well repairs (primarily electrical work) and to install water tank telemetry (provide control over water level in water tank);

NOW, THEREFORE BE IT RESOLVED, the Town Board of the Town of Roxbury authorizes Lamont Engineers to prepare the design for the well repairs and to install water tank telemetry.”

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

NAYS-0

Richard Davis of the Grand Gorge Community Action Group discussed the chain needed for the swings at the playground to lower them. 28 feet of 3/16 inch chain will be needed and will be purchased at Stamford Family Co-Op at \$1.59/foot.

The Town Board received a written report from the Assessor. Assessor Clerk Stephanie Seminara raised concerns with two new wedding venues in old barns that have been reported to the Building Inspector. Discussion also took place on State distributed checks for the tax freeze and new STAR owners. Eligibility for new owner STAR's is determined by the State and not the local Assessor's office, however, a proposed law will require the State to notify the local assessor of who they have approved for STAR.

Parks Clerk,Carolynn Faraci reported the vandalism on the park dollhouse has been beautifully repaired by David Condliffe at a cost of \$1,500. It was also reported there are currently eleven events scheduled for the park in 2017 and four in 2018. The annual business Boot Camp is scheduled to be held in Andes on April 3-4 and Town Board members were encouraged to attend one.

Peg Ellsworth was absent due to illness, but needed to know if the Town Board would like to use the same architect for the Kirkside Park barn kitchen or put out a Request for Proposal (RFP). The Town Board's decision was to get a quote from the previous architect used before they make a decision.

Ellsworth will also be applying again to the O'Conner Foundation for funding for the Grand Gorge Civic Center.

Highway Supt. Neil German was absent and there were no issues or problems known of.

Major repairs were made to Denver water and sewer lines at Cluster 44. Repairs were also needed on electric service lines that were hit during the repair of the water & sewer lines.

Discussion took place on a sink hole beside Van's Variety Store in Grand Gorge possibly being due to the old bank building removal or a big leak. A rep from Rural Water has been called to look into the matter with the Water Operator.

Major leaks have occurred at two homes in the Roxbury Water District after completing the monthly water readings. Said leaks used a total of 330,000 gallons.

Further discussion took place on local barns being turned into wedding venues where there are no

building permits for renovations or change of occupancy. Water and septic issues are also a concern.

Attorney Young discussed houses being rented out are now being considered commercial and not residential but it is up to the Building Inspector to enforce. Seminara stated there are 100-105 rentals known of in the Town of Roxbury that fall under the County bed tax.

The Town Board was given a copy of a letter to David Merwin from the Building Inspector stating all Fire Code violations have been lifted on his apartment building in Grand Gorge.

Attorney Young discussed news from the Coalition of Watershed Towns where NYCDEP will temporarily suspend land purchases in area Towns for 3-6 months while they conduct a study on the impact to the area. DEP is also expected to update their policy on covering costs for small businesses, with less than 20 employees, who need to undergo septic repairs.

Bookkeeper Carolynn Faraci made the Town Board aware she had to purchase a new Quick Books payroll program. Because the Town does not have a credit card she purchased it using her own credit card at a cost of \$610 which the Town has reimbursed her for. However, when she got her statement, the charge to her account was only \$562 and she has refunded the Town the difference. She also had to purchase another upgrade to the payroll program at a cost of \$299 because her computer had to be updated.

Mrs. Faraci also requested the Town Board approve a resolution to have General Fund loan Denver Sewer money for Abstract #2-2017 bills as no tax money has been received from the Tax Collector.

On motion of Gene Cronk second by Carol Murray the Town Board approved the Town Clerk's monthly report for January 2017 in the amount of \$799.37 (Town Clerk \$124.34 and Building Permits \$675.00)

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

NAYS-0

On motion of Allen Hinkley second by Edward Raeder the Town Board approved the Supervisor's monthly report for December 2016.

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

NAYS-0

On motion of Carol Murray second by Edward Raeder the Town Board approved the Assessor's monthly report for January 2017.

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

NAYS-0

On motion of Carol Murray second by Allen Hinkley the Town Board approved the monthly water receipts report for January 2017 in the following amounts: Denver \$3,514.70; Grand Gorge \$2,996.72 and Roxbury \$5,589.90.

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

NAYS-0

On motion of Gene Cronk second by Allen Hinkley the Town Board approved the Tax Collector's monthly report for January 2017.

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

NAYS-0

On motion of Gene Cronk second by Carol Murray the Town Board approved to pay Roxbury

Library Association \$15,000 as budgeted in the 2017 Town Budget.

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

NAYS-0

RESOLUTION #25-AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS

On motion of Gene Cronk second by Edward Raeder the following resolution was offered and adopted:

“WHEREAS, pursuant to the provisions of Section 284 of the Highway Law, the Town Board agrees that moneys levied and collected in the Town for repair and improvement of highways and moneys received from the State for State Aid for the repair and improvement of highways shall be expended as follows for the year 2017;

NOW, THEREFORE BE IT RESOLVED, the sum of \$182,125 shall be set aside to be expended for primary work and general repairs upon 112 miles of Town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks of renewals thereof; and

BE IT FURTHER RESOLVED, the sum of \$567,875 shall be set aside to be expended for the permanent improvement of Town highways that include Johnson Hollow Rd., Jump Brook Rd., Turk Hill Rd., S. Montgomery Hollow Rd. Grant Morse Rd., Howard Greene Rd., New Kingston Mtn. Rd., Thompson Hollow Rd., Roxbury Run roads and Rossman Rd.”

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

NAYS-0

RESOLUTION #26-ADVERTISE BIDS FOR HIGHWAY MATERIAL HAULING

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

“RESOLVED, the Town Board authorizes the Town Clerk to advertise for sealed bids for hauling materials from Schoharie, Middleburgh, Lexington, Davenport, Ashland and Oneonta, on a per ton basis to the Salt Shed storage area located on NYS Rt. 30 Roxbury, to be opened March 10, 2017 at 2:15 pm at the Town Hall.”

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

NAYS-0

RESOLUTION #27-ADVERTISE BIDS FOR HIGHWAY DIESEL

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

“RESOLVED, the Town Board authorizes the Town Clerk to advertise for sealed bids for the 30,000 gallons +/- Diesel Fuel to be delivered, unless otherwise stated, to the Town Highway Building located at 52508 State Hwy. 30, Roxbury as requested by the Highway Supt., to be opened March 10, 2017 at 2:00 pm at the Town Hall.”

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

NAYS-0

RESOLUTION#28-RESOLUTION OF THE TOWN OF ROXBURY REGARDING RADIO STATION LEASE AGREEMENT

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

“WHEREAS, the Town of Roxbury ("Town") and WSKG Public Telecommunications Council (“WSKG”) entered into a Lease Agreement dated January 2014 (“Lease Agreement”), wherein the Town leased to WSKG the right to access and use of Real Property located at the Town Highway Garage, 52508 State Highway 30, Town of Roxbury, County of Delaware, State of New York, (“Premises”) to be used/operated as the transmission space for broadcasting of Station WIOX(FM), Channel 217; and

WHEREAS, pursuant to Section Three of the Lease Agreement, the original lease term was a period of three (3) years, ending on January 28, 2017; and

WHEREAS, WSKG wishes to extend the lease term for one (1) year, commencing on January 29, 2017, and ending on January 28, 2018; and

NOW THEREFORE, BE IT RESOLVED, the Town Board of the Town of Roxbury authorizes the Town to enter into an Amendment to Lease Agreement to extend the Lease Term for one (1) year; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Town Supervisor to execute an Amendment to Lease Agreement to extend the Lease Term for one (1) year.”

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

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

NAYS-0

No action was taken on filling the Planning Board Alternate/Secretary vacancy.

RESOLUTION #29-RENEW JUNKYARD LICENSE FOR MARTY BUILT, INC

On motion of Edward Raeder second by Gene Cronk the following resolution was offered and adopted:

“WHEREAS, an application and payment has been received from Marty Built, Inc. requesting renewal of their Junkyard License; and

WHEREAS, the Town Board has no objections to renewal of the junkyard license;

NOW, THEREFORE BE IT RESOLVED, the Town Board approves renewal of the junkyard license of Marty Built, Inc. for one year to expire April 1, 2018.”

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

NAYS-0

RESOLUTION #30-EQUIPMENT DESTRUCTION

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

“RESOLVED, the Town Board approves the destruction of the following equipment:

Building Inspector	Canon PC920 Copier	Serial #TVB17682	Reason: Extremely light copies, parts would be more than a new copier”
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AYES-5 Murray, Raeder, Cronk, Hinkley, Hynes

NAYS-0

Supv. Hynes stated Delaware County Soil & Water Conservation has reviewed engineering firms for the Hardscrabble stream bank restoration project and requests a resolution from the Town approving them to hire an engineer on the project.

RESOLUTION #31- Resolution of Support for the selection of an Engineering consultant to The Delaware County Soil and Water Conservation District’s Stream Management Program for use within the Town of Roxbury

On motion of Edward Raeder second by Allen Hinkley the following resolution was offered and adopted:

“WHEREAS, the DCSWCD is a governmental entity established in NYS Municipal Law Book 52-B to provide technical support to Delaware County, including the Delaware Stream Corridor Management Program (DSCMP) (“Program”); and

WHEREAS, pursuant to Section 4.6 of the 2007 Filtration Avoidance Determination, New York City Department of Environmental Protection committed to a locally-driven stream management plan implementation process; and

WHEREAS, pursuant to the 2009 agreement (20090018734) between the Delaware County Soil and Water Conservation District and the New York City Department of Environmental Protection (NYCDEP) which established a Stream Management Plan Implementation Program, including staff support and funding to pay for stream management plan implementation in the West of Hudson Watershed; and

WHEREAS, the Town of Roxbury has entered into a Memorandum of Understanding with the DCSWCD to provide administrative and technical assistance for the Implementation of the East Branch Delaware River Stream Management Plan

WHEREAS, the Town of Roxbury has reviewed the 3 engineering consultants that the DCSWCD has under direct contract with the Stream Management Program

NOW, THEREFORE, BE IT RESOLVED that the Town of Roxbury supports the DCSWCD by selecting the engineering services of Milone & MacBroom, Inc. for the implementation of the Stream Management Implementation grant awarded for the Hardscrabble Streambank Restoration project within the Town of Roxbury (as needed) through the direct contract between the DCSWCD and Milone & MacBroom, Inc.”

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

NAYS-0

RESOLUTION #32-GENERAL FUND LOAN TO DENVER SEWER DISTRICT

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

“WHEREAS, the Denver Sewer District bills for Abstract #2-2017 total \$32,321.64; and
WHEREAS, the Town has not yet received any 2017 tax money from the Tax Collector; and
WHEREAS, the Denver Sewer District does not have the funds to pay the bills on Abstract #2-2017;

NOW, THEREFORE BE IT RESOLVED, the Town Board approves the transfer of \$32,321.64 from General Fund to Denver Sewer District, if needed, to pay Abstract #2-2017 bills if no tax money is received in time; and

BE IT FURTHER RESOLVED, said funds shall be reimbursed to the General Fund upon receipt of tax money.”

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

NAYS-0

On motion of Allen Hinkley second by Gene Cronk the Town Board approved the Building Inspector monthly report for January 2017.

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

NAYS-0

Attorney Young reported on status of the NYCDEP sewer collection system assessment. The appraisal, that has come in higher than their current assessment, has been sent to DEP for review to which a response is still awaited.

The Water Clerk discussed the request of Richard Scianablo for reimbursement to his water bill because the meter could not be read one month which put the reading for the next month over the 4,000 gallon usage for one month. The excessive reading was for 6,800 gallons at a charge of \$11.90.

On motion of Carol Murray second by Edward Raeder the Town Board approved the water account of Richard Scianablo to be credited \$4.90 due to an unread meter for one month causing the reading the next month to be over the minimum usage of 4,000 gallons.

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

NAYS-0

Supervisor Hynes reported materials have been received for the old highway garage roof and repairs are expected to begin soon.

Councilman Hinkley has reviewed the current Police Policy and offers no changes.

Reminders were given the Highway Contract and Water/Sewer contracts expire 12/31/17 and must be in place by September 1st for 2018 budgeting purposes.

RESOLUTION #33 – RESOLUTION TO GO INTO EXECUTIVE SESSION TO DISCUSS A PERSONNEL ISSUE

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

“RESOLVED, the Town Board agreed to enter into Executive Session at 8:45 pm to discuss a personnel issue. Present were: Supervisor Thomas S. Hynes, Councilmen Allen Hinkley, Edward Raeder, Gene Cronk and Carol Murray and Attorney Kevin Young.”

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

NAYS-0

On motion of Gene Cronk second by Allen Hinkley the Town Board exited Executive Session and returned to the regular meeting at 9:08 pm.

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

NAYS-0

Supervisor Hynes stated no action was taken in Executive Session.

Discussion took place on the abstract bills relating to the Denver Water Project.

On motion of Edward Raeder second by Carol Murray the bills were audited, Denver Water bill #18 Young & Sommer in the amount of 148.50 was removed from the abstract, and all other bills were ordered paid in the following amounts:

General #24-89	\$117,566.96	Denver Water #5-19	\$11,673.50
Highway #7-39	\$99,149.81	Roxbury Sewer #5-10	\$10,064.62
Roxbury Water #4-11	\$1,760.92	Denver Sewer #4-20	\$32,321.64
Grand Gorge Water #5-12	\$2,351.36	Special Lights #1-3	\$5,504.57

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

NAYS-0

On motion of Allen Hinkley second by Edward Raeder the Town Board approved the Justice Court monthly report for December 2016 in the amount of \$4,800.

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

NAYS-0

A note was received from the Grand Gorge Community Action Group thanking the Town Board for allowing use of the Civic Center for their annual community Christmas Party.

On motion of Gene Cronk second by Edward Raeder the meeting adjourned at 9:15 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

