

February 9, 2015

The regular meeting of the Town Board was held February 9, 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, Highway Supt. Stephen Schuman, Assessor Robert Breglio, Town Attorney Kevin Young and 3 residents.

On motion of Gene Cronk second by Allen Hinkley the Town Board approved the Minutes of the January 2, 2015 Organizational meeting.

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

NAYS – 0

Assessor Robert Breglio distributed a written monthly report to the Town Board. He gave an update on the re-val explaining the sample data sheet that includes comparables, discussed the problems he is still encountering with the County in gaining access to the system to input data, stated the impact statements will be mailed in March and reminded the Board that he will be holding two public info meetings on the re-val on Feb. 14th at 1:00 pm at the Grand Gorge Civic Center and 3:00 pm at the Town Hall. Attorney Kevin Young discussed the information the Town is waiting to receive from Attorney Beebe pertaining to NYCDEP assessments.

Discussion took place on additional Board of Assessment Review (BAR) members needed this year due to the re-val. The duties of the BAR were discussed as well as the grievance process.

RESOLUTION #20 – RESOLUTION OF THE ROXBURY TOWN BOARD ACCEPTING PROPOSED LOCAL LAW TO INCREASE MEMBERSHIP OF THE BOARD OF ASSESSMENT REVIEW AND SCHEDULING PUBLIC HEARING FOR SAME

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

WHEREAS, pursuant to Real Property Tax Law (“RPTL”) Section 523, each local government is required to have a board of assessment review that shall consist of not less than three nor more than five members appointed by the Town Board of the Town of Roxbury;

WHEREAS, to date, the Town of Roxbury’s Board of Assessment Review has consisted of three appointed members; and

WHEREAS, RPTL expressly authorizes the Town Board of the Town of Roxbury to increase the number of members of the Board of Assessment Review to a total of five members by passing a local law;

WHEREAS, the Town’s Attorney has prepared a proposed Local Law to increase the number of members of the Board of Assessment Review from three to five pursuant to RPTL Section 523; and

WHEREAS, the Town Board has reviewed and modified the proposed Local Law to increase the number of Board of Assessment Review members from three to five;; 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 increase the number of members of the Board of Assessment Review on March 2, 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 Cronk, Murray, Raeder, Hinkley, Hynes

NAYS-0

Highway Supt. Stephen Schuman stated the roller repairs have almost been completed, work continues on the grader, his laptop has been repaired but is still encountering problems with files, requested new plow wings for two Oshkosh trucks at approximately \$6,000 each, requested a new air compressor for the garage at approximately \$600 and stated he expects a salt delivery soon.

Attorney Young stated he has received a check for \$9,000 as a settlement amount in the truck lawsuit and will turn it over to the Town.

Parks Clerk,Carolynn Faraci stated the Historic Preservation Commission (HPC) has requested the Town Board appoint Jenny Rosenzweig to the Commission to fill the vacancy. The HPC also requests they hold quarterly meetings instead of monthly meetings but will have a special meeting in between in the need arises.

RESOLUTION #21-APPOINT ROSENZWEIG TO HISTORIC PRESERVATION COMMISSION

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

“WHEREAS, a vacancy exists on the Roxbury Historic Preservation Commission due to the resignation of Martin Lerner,

NOW, THEREFOE BE IT RESOLVED, the Town Board appoints Jenny Rosenzweig to fill the vacancy on the Roxbury Historic Preservation Commission effective immediately for a term that shall expire 12/31/15.”

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

NAYS-0

Discussion took place on repealing Local Law #3-2014 overriding the tax cap limit. Attorney Young was directed to look into the matter.

Supv. Hynes distributed a report of 2015 Delaware County Tax Levy comparisons reflecting information on each of the 19 Towns. Roxbury was the 3rd lowest percent change at .52%. Percentages ranged between -.24% and 6.98%.

Discussion took place on appointing alternate members to the Planning Board having adopted Local Law #4-2014.

RESOLUTION #22-APPOINT RIBICH AS PLANNING BOARD ALTERNATE

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

“WHEREAS, on November 6, 2014 the Town Board adopted Local Law #4-2014 for the Appointment of Alternate Members to the Planning Board,

NOW, THEREFORE BE IT RESOLVED, the Town Board appoints Jill Ribich as an alternate member of the Planning Board effective immediately with said term to expire 12/31/19.”

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

NAYS – 0

David Martin of the Grand Gorge Community Action Group (GGCAG) requested use of the extra classroom at the Civic Center for supply storage as the room they’re currently using is full. The matter was discussed by the Town Board with Supv. Hynes and Councilman Edward Raeder expressing concerns with additional use because the room is already being used for storage by

other groups and is also used frequently by the justice court as a conference room for attorney's and clients during court sessions. Councilman Cronk saw no problem with GGCAG using the room. The Town Board will look into the matter further.

Supv. Hynes discussed the Roxbury springs matter where the Town awaits a response from NYS Dept. of Health on the Town's request to once again allow use of the springs for Roxbury and Grand Gorge water districts. Lamont Engineers, Cowan Excavating and previous water operator Robert Townsend have assisted in the efforts.

Supv. Hynes has received notice from NYS Dept. of Health stating the sample monitoring reports on the water districts have been approved.

Discussion took place on concerns of the buildings at the site of the old Reed's Hotel property on Main St. Roxbury. A written report from Lamont Engineers regarding demolition issues and estimated costs was distributed to the Town Board. A factor in cost will be whether there is asbestos and lead paint. Attorney Young discussed the demolition process and the Board will look into costs if demo is completed by County forces. Attorney Young will look into the process to obtain access to the buildings from the owners.

No action was taken on renewing the Police Policy. It is still being reviewed by the Town Attorney.

On motion of Allen Hinkley second by Carol Murray the Town Board approved the Town Clerk monthly report for January 2015 in the amount of \$2,232.39 (\$Town Clerk \$1,182.39 & Building Permits \$1,050.00).

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

NAYS – 0

On motion of Edward Raeder second by Carol Murray the Town Board approved the Town Supervisor's monthly report for December 2014.

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

NAYS – 0

On motion of Edward Raeder second by Allen Hinkley the Town Board approved the Justice Court monthly report for December 2014 in the amount of \$2,226.00.

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

NAYS – 0

On motion of Gene Cronk second by Carol Murray the Town Board approved the Assessor's monthly report for January 2015.

AYES – Cronk, Murray, Raeder, Hinkley, Hynes

NAYS -0

On motion of Allen Hinkley second by Edward Raeder the Town Board approved the HUD Funds monthly report for January 2015 showing a balance of \$111,603.50.

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

NAYS-0

On motion of Carol Murray second by Gene Cronk the Town Board approved the Building Inspector monthly report for January 2015.

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

NAYS-0

On motion of Edward Raeder second by Allen Hinkley the Board approved the Tax Collector's monthly report for January 2015 showing 100% of the Town share of taxes having been collected.

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

On motion of Allen Hinkley second by Gene Cronk the Town Board approved the monthly report of water receipts in the amount of \$8,150.43 (Denver \$2,370.56; Grand Gorge \$2,250.80 and Roxbury \$3,529.07).

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

RESOLUTION #23-BUILDING INSPECTOR CONTRACT

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

“RESOLVED, the Town Board approves renewal of the contract with William Walcutt for services as Building Inspector/CEO for the year 2015 in the amount of \$15,000.”

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

RESOLUTION #24-ADVERTISE BIDS FOR HIGHWAY FUELS

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

“RESOLVED, the Town Board authorizes the Highway Supt. to advertise for sealed bids for diesel and gasoline with said bids to be opened March 2, 2015 at 2:00 pm at the Town Hall.”

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

RESOLUTION #24-ADVERTISE BIDS FOR HIGHWAY MATERIAL HAULING

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

“RESOLVED, the Town Board authorizes the Highway Supt. of advertise for sealed bids for hauling materials to Town storage areas with said bids to be opened March 2, 2015 at 2:15 pm at the Town Hall.”

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

RESOLUTION #25-M-ARK PROJECT AGREEMENT

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

“RESOLVED, the Town Board approves the continued use of the current agreement with the M-ARK Project, Inc. for grant submissions and oversight at a cost of \$1,250 per month for the year 2015.”

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

Attorney Young discussed the funds from Invenergy, LLC that the Town of Roxbury has been holding in escrow since the onset of the windtower application per the terms of the local law to pay costs associated with the review process. Since no activity has occurred in the past few years the money needs to be returned to Invenergy.

RESOLUTION #26-RETURN WINDTOWER ESCROW FUND BALANCE TO INVENERGY, LLC

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

“WHEREAS, Invenergy, LLC submitted an application for wind turbines to the Town of Roxbury Planning Board in July 2007; and
WHEREAS, Invenergy, LLC deposited funds into an escrow account to be held by the Town of Roxbury to pay for costs during the review process; and
WHEREAS, no costs have been incurred since November 2010;
NOW, THEREFORE BE IT RESOLVED, the Town Board authorizes the fund balance in the Windtower escrow account, in the amount of \$5,648.49, which includes bank interest, be returned to Invenergy, LLC.”

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

NAYS – 0

RESOLUTION #27-HIGHWAY CONTRACT APPROVED

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

“RESOLVED, the Town Board approves the Roxbury Highway Worker’s Association 3 year contract for the period January 1, 2015 – December 31, 2017.”

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

NAYS-0

Daniel Sullivan did not take the Oath of Office within 30 days of his first appointment.

On motion of Edward Raeder second by Carol Murray the Town Board re-appointed Daniel Sullivan as Health Officer effective immediately with said term to expire on 12/31/15.

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

NAYS-0

RESOLUTION #28-TRANSFER STATION PART-TIME HELP

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

“RESOLVED, the Town Board approved the hiring of Larry Truesdell on an as- needed basis for additional part-time help at the Transfer Station; and
BE IT FURTHER RESOLVED, rate of pay shall be determined by who he is working for either as Manager \$17.19/hr or Laborer \$11.57/hr.”

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

NAYS-0

The Town Clerk requested approval to purchase a new vacuum cleaner for the Town Hall as the current one is in bad shape. Councilman Cronk stated he had a vacuum cleaner that he would sell to the Town. (amended per March 2, 2015 meeting)

The Grand Gorge Community Action Group would like to help beautify Grand Gorge by hanging flower baskets from the light poles. The project would have to be sponsored by the Town of Roxbury for permits from NYSEG and NYS Dept. of Transportation. No Town Board member stated any objection to sponsoring the project.

Discussion took place on the costs for repairs to the Constable vehicle. Councilwoman Carol Murray and Councilmen Edward Raeder and Gene Cronk objected to the Town Board not being

made aware of the work to be done and the estimate of repair costs prior to repairs being completed. However, the Councilmen did agree to pay the vendor. A note was also received from Sanford Auto stating issues with the airbags. The Town Board agreed the vehicle must be taken to a Chevrolet dealer to ascertain the problem and estimate for repairs.

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

General #23-78	\$131,528.78	Roxbury Sewer #4-11	\$10,472.04
Highway #10-36	\$82,742.62	Denver Sewer #2-12	\$20,947.22
Roxbury Water #3-10	\$1,753.69	Special Lights #1-2	\$7,900.57
Grand Gorge Water #3-11	\$2,872.67	Windtower Escrow #1	\$5,648.49
Denver Water #3-10	\$2,745.01		

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

As advertised, the next meeting of the Town Board will be held Monday March 2, 2015 at the Town Hall at 7:30 pm.

On motion of Allen Hinkley second by Gene Cronk 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