

## APPROVED MINUTES

July 14, 2014

The regular monthly meeting of the Town Board was held July 14, 2014 at 7:30 pm at the Town Hall. Present: Supervisor Thomas S. Hynes, Councilmen Gene Cronk, Edward Raeder, Allen Hinkley and Carol Murray, Highway Supt. Stephen Schuman, Assessor Robert Breglio and 9 residents.

On motion of Edward Raeder second by Carol Murray the Minutes of the June 9, 2014 meeting were approved.

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

NAYS – 0

Carolynn Faraci, Community Resource Clerk reported the following: the park is booking events into 2015, discussed park building renters not abiding by contract terms will not receive their deposits back and requested a larger deposit be required in the future, the summer youth program has begun with crews doing work in the park, there will be fireworks in the park on Labor Day along with carriage rides and music, and movies in the park begin July 17<sup>th</sup> with other dates on the Town website.

Peg Ellsworth gave status of grant work progress, stated the M-ARK Project rental rehab grant still has money available and will expire at the end of the year, the Town CDBG (HUD) funds are all spoken for but owners are still urged to submit an application in the event any current applicants back out, notification of grant award has been received for the clock tower and both the Grand Gorge and Roxbury business associations and a grant application has been submitted for the Yellow Church painting. It was also stated that owners in the Historic District will soon be able to purchase an historic plaque for their home.

A new HP Laser Jet P2035 printer was purchased for the Parks Dept. but will not work with the new computer and a different one has been purchased in its place. Carolynn Faraci has offered to purchase the P2035 from the Town.

### RESOLUTION #29 – SELL PRINTER

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

“RESOLVED, the Town Board approves the sale of a new HP Laser Jet P2035 printer to Carolynn Faraci at a cost of \$209.99, being the cost paid by the Town.”

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

NAYS – 0

Robert Breglio, Assessor, submitted a written report to the Town Board and discussed certain items including the re-val schedule and property owner notices, requested the Town Board look into increasing the Board of Assessment Review from 3 to 5 persons for the first year of re-val, stated communications are going well with the County but he still needs full access to RPS and discussed the Verizon settlement and requested the Town Board approve the settlement.

Stephen Schuman, Highway Supt., stated stone & oil has begun on roads, he has incurred approximately \$18,000 in damage from recent flooding, has upgraded culverts due to the floods, discussed the gravel bank that is not needed where the owner will be notified by the Town attorney and the Town will have to perform the reclamation process and stated he has reviewed the paperwork for Colonial Drive takeover and has no problem with the Town Board going forth on takeover.

Discussion took place on the matter of taking over the road known as Colonial Drive.

RESOLUTION #30 – COLONIAL DRIVE NEGATIVE DECLARATION

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

“WHEREAS, the Town Board has reviewed the Short Environmental Assessment Form (EAF) on the takeover of a road known as Colonial Drive; and

WHEREAS, the Town Board finds the action will not result in any significant adverse environmental impacts;

NOW, THEREFORE BE IT RESOLVED the Town Board approves a declaration of no significant impact on the takeover of a road known as Colonial Dr.”

AYES 5 Hinkley, Cronk, Raeder, Murray, Hynes

NAYS – 0

RESOLUTION #31- IN THE MATTER OF THE APPLICATION TO LAY OUT A TOWN ROAD TO BE KNOWN AS COLONIAL DRIVE

“WHEREAS, the Town Board of the Town of Roxbury has received an Application to lay out a highway in the Town to be known as Colonial Drive, which will pass through the lands of David H. Munsell and Barbara K. Munsell, together with a Dedication and Release of Lands for Town Highway, dated and acknowledged July 10, 2014, and Deed of Dedication, dated and acknowledged July 10, 2014, dedicating and releasing the necessary lands for a proposed town highway to be known as Colonial Drive; and

WHEREAS, said road is more particularly described in the Deed of Dedication which is attached hereto and made a part hereof; and

WHEREAS, the Town Board of the Town of Roxbury has determined the road qualifies for dedication under Highway Law § 171 and meets the Town’s requirements for dedication; and

WHEREAS, the Town Board of the Town of Roxbury has reviewed a Short Environmental Assessment Form (EAF) pursuant to the mandates of the State Environmental Quality Review Act (ECL Article 8 and 6 NYCRR Part 617); and

WHEREAS, the Town Board has duly considered the contents of the EAF and completed Parts 2 and 3 thereof; and

WHEREAS, the Town Board has identified the relevant areas of environmental inquiry and taken a hard look at them; and

WHEREAS, the Town Board has identified the relevant areas of environmental inquiry and taken a hard look at them and caused to be prepared a Negative Declaration which sets forth the reasoning and rationale of the Town Board in determining that no adverse environmental impacts will occur as a result of the action; and

WHEREAS, the Town Board thereby seeks to issue the Negative Declaration under SEQRA thereby complying with the mandates of the State Environmental Quality Review Act;

NOW THEREFORE BE IT RESOLVED that the Town of Roxbury Town Board hereby declares that the laying out of the aforesaid highway will not have any significant adverse environmental impacts; and

NOW THEREFORE BE IT RESOLVED that in accordance with the provisions of section 171 of the Highway Law of the State of New York, consent is given that the Highway Superintendent of the Town of Roxbury make an order laying out the aforesaid town highway, the town highway to consist of the lands described in the deed of dedication.

WHEREUPON, this Resolution was declared adopted by the Town Board of the Town of Roxbury: Town Board Member Allen Hinkley so moved; Town Board Member Edward Raeder Seconded, and the Town Board voted as follows:

AYES – 4 Hinkley, Raeder, Cronk, Murray

NAYS – 0

ABSTAIN – 1 Hynes (he and his son own property on the road)

Supervisor Hynes reported a collapsed sewer pipe in the Denver Sewer District has been repaired. Six units were hooked into one pipe.

Supervisor Hynes reported a major water leak 12’ deep in the Denver Water District was found late

Friday afternoon that drained the tank. Crews were able to restore water the next day and the tank is now full. A final repair is expected this week. An e-mail was received from a concerned owner regarding dirty water which should be clearing out. Cowan Excavating recommended installing a pressure reducing valve on the line as the break occurred in the lower section of the facility. The Board agreed.

A letter and pictures were received from Diane Mitnick of the Roxbury Run area expressing safety and health concerns with a property on Short Run Rd. Items include junk cars, garbage, rodent infestation to nearby properties, and general condition issues of the home. It is unsure if the property has been abandoned or not. Mrs. Mitnick had written to the Town last year regarding the same issues but was told by the Health Officer that no problems were found. The Building Inspector has issued an Order to Remedy Violation to the owners per the NYS Building Code and the legal process must now be followed.

On motion of Allen Hinkley second by Edward Raeder the Town Board approved the Town Clerk's monthly report for June 2014 in the amount of \$1,978.61 (Town Clerk \$618.61 and Building Permits \$1,360.00).

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

NAYS – 0

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

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

NAYS – 0

On motion of Gene Cronk second by Allen Hinkley the Town Board approved the Assessor's monthly report for June 2014.

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

NAYS – 0

On motion of Allen Hinkley second by Carol Murray the Town Board approved the Justice Court monthly report for May 2014 in the amount of \$3,054.00.

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

NAYS – 0

On motion of Edward Raeder second by Allen Hinkley the Town Board approved the HUD Program monthly report for June 2014 showing a balance of \$232,985.00.

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

NAYS – 0

On motion of Allen Hinkley second by Edward Raeder the Town Board approved the Building Inspector monthly report for June 2014.

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

NAYS – 0

On motion of Edward Raeder second by Carol Murray the Town Board approved the Water District monthly receipts reports for June 2014 in the following amounts: Denver \$310.50; Grand Gorge \$273.55 and Roxbury \$138.15.

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

NAYS – 0

#### RESOLUTION #32 – CONTRACT WITH TWO ASSESSOR DATA COLLECTORS

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

“RESOLVED, the Town Board approves contracts for the services of Nicholas diStefanis, retroactive to 6/18/14, and Joseph McAfee, retroactive to 6/30/14, as Assessor Data Collectors at a

rate of \$9.00/hour with no benefits other than reimbursement for mileage.”

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

NAYS – 0

Notice was received from Petra Tavern Corp. (Petra’s Restaurant) they have applied for a NYS Liquor License for their business located at Shepard Hills Golf facility.

On motion of Gene Cronk second by Allen Hinkley the Town Board stated having no objections to the NYS Liquor License application of Petra Tavern Corp. (Petra’s Restaurant) located at Shepard Hills Golf facility.

AYES - Cronk, Hinkley, Raeder, Murray, Hynes

NAYS – 0

On motion of Edward Raeder second by Carol Murray the Town Board approved the annual report of Good Neighbor Funds through June 30, 2014 showing a balance of \$220,964.77.

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

NAYS – 0

#### RESOLUTION #33 – APPROVE CHANGE ORDERS LAKE ST. DRAINAGE PROJECT

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

“RESOLVED, the Town Board approves the following Change Orders and amounts on the Lake St. Drainage Project: Change Order #2 increase \$850; #3 increase \$1,100; #4 increase \$5,400; #5 increase \$5,100, #6 increase \$300, #7 increase \$1,900; #8 increase \$1,950; # 9 increase \$6,200; #10 increase \$1,505; #11 increase \$2,480; #12 increase \$11,477; #13 increase \$1,828 and #14 increase \$862 for a total increase of \$40,952; and

BE IT FURTHER RESOLVED approval of said change orders are contingent upon final inspection of said project engineer.”

AYES – Cronk, Hinkley, Raeder, Murray, Hynes

NAYS – 0

#### RESOLUTION #34 - AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH CWC FOR THE REIMBURSEMENT OF UP TO \$4,900.00 FOR TAX CONSULTING SERVICES PREVIOUSLY PROVIDED

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

“WHEREAS, the Town of Roxbury and the Catskill Watershed Corporation (“CWC”) entered into a Tax Consulting Program Agreement originally executed in 1999, amended in 2004 and renewed in 2011; and

WHEREAS, the CWC Tax Consulting Program Agreement provided for the vouchered reimbursement of fees and expenses of professional consultants and/or attorneys retained by the Town of Roxbury to review, analyze and/or assist in the administration of real property taxes paid by New York City on City-owned land;

WHEREAS, pursuant to the CWC Tax Consulting Program Agreement, the Town of Roxbury contracted with the Law Office of Robert L. Beebe, LLC in or about 2011, to defend the Town’s assessments of the Schoharie Reservoir; and

WHEREAS, Robert L. Beebe provided the contracted for services and, as of the date of this Resolution, the amount paid to the Law Office of Robert L. Beebe, LLC for services provided is \$4,834.00; and

WHEREAS, the Town Board desires to authorize the Supervisor to enter into an agreement with the CWC for the reimbursement of payment up to \$4,900.00 for tax consulting services previously provided by Robert L. Beebe, LLC.

THEREFORE, NOW BE IT RESOLVED THAT the Town of Roxbury authorizes the Town Supervisor to execute an agreement with the CWC for reimbursement of funding the final payment (approximately \$4,900.00) to the Law Office of Robert L. Beebe, LLC.

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

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

NAYS – 0

ABSTENTIONS – 0

Discussion took place regarding the letter from Martin Menne requesting a reduction in water charges because he must run his water in the winter to prevent the freezing of his service line that runs under the road. The Town Board reviewed a year of Mr. Menne's water usages as well as others that have service lines under the road. The matter was tabled until the Town Supervisor speaks with the owner.

The next monthly meeting of the Town Board will be held August 11, 2014 at 7:30 pm at the Grand Gorge Civic Center.

Discussion took place on the remaining highway garage construction money. The bond principal and interest is paid by the General Fund so any remaining funds must be returned to that fund.

On motion of Edward Raeder second by Gene Cronk the Town Board approves the transfer of \$17,418.07 from Capital Projects to General Fund that represents the balance of highway garage construction funds.

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

NAYS – 0

On motion of Allen Hinkley second by Gene Cronk the Town Board went into Executive Session at 8:50 pm to discuss negotiations for Highway contract renewal. Present were: Supervisor Thomas S. Hynes and Councilmen Gene Cronk, Edward Raeder, Allen Hinkley and Carol Murray. On motion of Allen Hinkley second by Gene Cronk the Town Board came out of Executive Session and returned to the regular meeting at 9:11 pm.

It was stated that no decision was made on the highway contract and the Personnel Committee will continue negotiations with the Highway Workers Association.

After adding General Fund #331 in the amount of \$1,200.00 and Grand Gorge Water #52 in the amount of \$100.00, on motion of Gene Cronk second by Allen Hinkley the bills were audited and ordered paid in the following amounts:

General #270-331	\$46,744.03	Special Lights #10-11	\$1,929.43
Highway #166-191	\$51,920.37	Capital Projects:	
Roxbury Water #41-49	\$7,328.01	HUD Program #12	\$20,965.00
Grand Gorge Water #43-52	\$3,208.00	Park Construction #13	\$3,279.00
Denver Water #38-45	\$3,645.73	Park Programs #14-18	\$572.00
Roxbury Sewer #44-48	\$7,114.83	Other:	
Denver Sewer #69-81	\$16,668.95	Lake St. Project	\$2,242.80

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

NAYS – 0

On motion of Carol Murray second by Edward Raeder the meeting adjourned at 9:17 pm.

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

