

## APPROVED MINUTES

The regular meeting of the Town Board was held July 13, 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, Attorney Kevin Young and 6 residents.

The Minutes of the June 8<sup>th</sup> meeting were approved on motion of Carol Murray second by Allen Hinkley.

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

NAYS-0

Assessor Robert Breglio provided a written monthly report for the Town Board and discussed the following issues: the re-val has been completed but he remains in contact with NYS Office of Real Property Services in keeping with accepted established parameters in order to obtain reimbursement for the Town in having done the re-val, the additional costs to complete the re-val are estimated at \$30K-\$35K compared to much more had the Town hired an independent company, he discussed complaints of odors from the creamery sewer plant affecting nearby owners property values and requested the Town Board and attorney look into the matter. The Board commended Mr. Breglio on his work. Attorney Young discussed the creamery sewer plant issue and has contacted the company and its engineer to look into the matter.

Diane Mitnick of Short Run Rd. addressed the Town Board with concerns with the seemingly abandoned property next to her owned by Bieniek & Wichman. She had addressed the Town Board last year with pictures, the Building Inspector and Health Officer had inspected the residence at that time. An Order to Remedy Violation was issued to the owners regarding Property Maintenance Code issues and unlicensed motor vehicles that was to be remedied within 30 days. The Health Officer found no apparent health issues at that time. Tax payment status was also discussed. Supervisor Hynes will check into the status of tax payments and Attorney Young will send correspondence to the owners regarding the other issues.

Highway Supt. Stephen Schuman stated reclamation of the Rodrigues gravel bank has almost been completed, several roads are getting stone & oil, will be laying stone & oil on Colonial Dr. even though not on his list this year but savings on oil costs can absorb the cost, requested he be approved to list for sale the 1991 brush cutter, old air compressor and pressure washer on Auction International, requested the Town Board accept the proposal of The Water Guy to install a water filter system at the highway garage in the amount of \$2,700 and requested an Executive Session to discuss the vacancy in the Highway Dept. Supv. Hynes stated receiving complaints and requests from residents on Schuman Rd. for a couple of years now as to when their road would be stoned and oiled. Mr. Schuman will consider the matter but would like to keep up on current stone & oiled roads so to prevent losing them.

### RESOLUTION #53- SALE OF 1991 BRUSHCUTTER

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

“RESOLVED, the Town Board authorizes the Highway Supt. to list the sale of the 1991 Brushcutter on Auctions International; and  
BE IT FURTHER RESOLVED, the Town Board must approve the amount of any sale.”

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

NAYS-0

### RESOLUTION #54-SALE OF AIR COMPRESSOR AND PRESSURE WASHER

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

“RESOLVED, the Town Board authorizes the Highway Supt. to list the sale of an old air compressor and pressure washer on Auctions International; and  
BE IT FURTHER RESOLVED, the Town Board must approve the amount of any sale.”

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

NAYS-0

RESOLUTION #55-WATER FILTER SYSTEM HIGHWAY GARAGE

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

“RESOLVED, the Town Board accepts the proposal of The Water Guy in the amount of \$2,700 to install a water filter system at the Highway Garage.”

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

NAYS-0

Parks Clerk,Carolynn Faraci, stated the summer youth program is underway where Lacey Stewart will be working in the park and with Roxbury Arts Group and Hayden O’Shaughnessy will be working in the Park, the second crew will begin On July 20<sup>th</sup> also to be working in the park, the park is continuing to be booked into 2016 with 2015 almost full, this weekend the park will provide for a car show and two weddings, she will conduct a walking tour on August 19<sup>th</sup> for the Gilboa Historical Society, and will contact the Tree Amigos regarding a downed tree blocking the stream.

Supv. Hynes stated the leak at the Grand Gorge Trailer Park will be fixed tomorrow.

Councilman Cronk stated he is still waiting to receive the proposal from Steve Cammer for work needed on the Transfer Station buildings. Councilman Hinkley stated he is waiting to receive the proposal from B&B Construction for concrete work at the Transfer Station.

Supv. Hynes will get proposals for cost of work to repair the cafeteria roof at the Civic Center. Discussion took place on other options.

No action was taken on the Police Policy.

On motion of Carol Murray second by Gene Cronk the Town Board approved the Town Clerk’s Monthly report for June 2015 in the amount of \$1,939.10 (Town Clerk \$1,209.10 and Building Permits \$730.00)

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

NAYS-0

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

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

NAYS-0

On motion of Edward Raeder second by Carol Murray the Town Board approved the Justice Court monthly report for May 2015 in the following amount of \$4, 802.50.

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

NAYS-0

On motion of Gene Cronk second by Allen Hinkley the Town Board approved the Assessor’s monthly report for June 2015.

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

NAYS-0

On motion of Allen Hinkley second by Edward Raeder the Town Board approved the CDBG (HUD) Program monthly report for June 2015 showing a balance of \$40,796.00.

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

NAYS-0

A final request for payment will be made before closing out the CDBG program.

On motion of Gene Cronk second by Allen Hinkley the Town Board approved the Building Inspector report for June 2015.

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

NAYS-0

On motion of Gene Cronk second by Edward Raeder the Town Board approved the annual report of taxes collected by the Tax Collector for the year 2015.

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

NAYS-0

On motion of Carol Murray second by Allen Hinkley the Town Board approved the monthly report of Water District receipts for June 2015 in the following amounts: Denver \$252.16; Grand Gorge \$381.62 and Roxbury \$396.85.

AYES- 5 Murray, Hinkley Cronk, Raeder, Hynes

NAYS-0

Discussion took place on changing the current local law for dog licensing to include a penalty amount of \$20 for unlicensed dogs found when conducting a door to door enumeration. A semi annual list of dog licenses was distributed to the Town Board and sent to the Dog Control Officer. Dog license renewals and unpaid dog license reminders are mailed monthly.

RESOLUTION #56-RESOLUTION OF THE ROXBURY TOWN BOARD ACCEPTING PROPOSED AMENDED DOG LICENSING LAW AND SCHEDULING PUBLIC HEARING

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

“WHEREAS, Article 7 of the New York State Department of Agriculture and Markets Law has been amended to require municipalities to perform all dog licensing functions as of January 1, 2011,

WHEREAS, the Town previously adopted Local Law No. 4 of 2010 entitled Town of Roxbury Dog Licensing Law effective January 1, 2011; and

WHEREAS, the Town Board has determined the need for an amendment to Local Law No. 4 of 2010 which includes the addition of a licensing fee to be charged when the existence of an unlicensed dog is identified during the Town’s performance of an enumeration; and

WHEREAS, the Town Attorney has prepared a proposed Amended Dog Licensing Law; and

WHEREAS, the Town Board has reviewed and modified the proposed Amended Dog Licensing Law; 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 Amended Dog Licensing Law on August 10, 2015 at 7:15 pm at the Grand Gorge Civic Center; 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, Hinkley, Raeder, Murray, Hynes

NAYS-0

Notifications of establishments applying for a new liquor license from the NYS Liquor Authority have been received from the Roxbury Maplehurst LLC, located at 75 Maple Road, Roxbury and Shepard Hills Bar & Grill LLC located at 562 Shepard Hills Road. Both establishments have requested the Town waive the 30 day hold on processing the licenses.

RESOLUTION #57-LIQUOR LICENSE ROXBURY MAPLEHURST, LLC

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

“WHEREAS, the Town Board has received the required 30 day notification from the Roxbury Maplehurst LLC, located at 75 Maple Rd., that they will be applying for a liquor license from the NYS Liquor Authority;

NOW, THEREFORE BE IT RESOLVED, the Town Board Town of Roxbury has no objection to the application of The Roxbury Maplehurst for a liquor license; and

BE IT FURTHER RESOLVED, the Town Board waives the 30 day hold on issuance of the license by the NYS Liquor Authority.”

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

NAYS-0

RESOLUTION #58- LIQUOR LICENSE SHEPARD HILLS BAR & GRILL, LLC

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

“WHEREAS, the Town Board has received the required 30 day notification from Shepard Hills Bar & Grill, LLC located at 562 Shepard Hills Rd., that they will be applying for a liquor license from the NYS Liquor Authority;

NOW, THEREFORE BE IT RESOLVED, the Town Board Town of Roxbury has no objection to the application of Shepard Hills Bar & Grill, LLC for a liquor license; and

BE IT FURTHER RESOLVED, the Town Board waives the 30 day hold on issuance of the license by the NYS Liquor Authority.”

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

NAYS-0

RESOLUTION #59-FIREWORKS IN PARK

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

“WHEREAS, Pyro Engineering, Inc. has applied for a fireworks permit through the Town of Roxbury; and

WHEREAS, the fireworks are to take place in Kirkside Park on September 6, 2015; and

WHEREAS, the Roxbury Fire Chief has reviewed and approved said application;

NOW, THEREFORE BE IT RESOLVED, the Town Board approves of fireworks in Kirkside Park on September 6, 2015.”

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

NAYS-0

Larry Shultis retired from the Highway department on July 7, 2015. Mr. Shultis will be sent a letter recognizing him for his many years of dedicated service to the Town of Roxbury.

No specs were received on the generator for the highway department so no bid was advertised. Attorney Young has looked into a used generator that would service the needs of the garage and is awaiting a price.

The annual report of Good Neighbor Funds for the period July 1, 2014 – June 30, 2015 was filed with NYCDEP and a copy distributed to the Town Board. The current balance of funds on hand is \$296,425.76.

A semi-annual list of open Building Permits was distributed to the Town Board and given to the Building Inspector.

Attorney Young discussed the Town's Local Technical Assistance Program (LTAP) through Catskill Watershed Corp. (CWC) for the Generic Environmental Impact Statement (GEIS) for the Grand Gorge Sewer District area that is part of the Schoharie Reservoir. There is still \$90,000 available under the program and the Board discussed using the funds for flood elevation studies to help owners in Grand Gorge, and possibly in Roxbury, affected by the proposed new flood zone maps. Attorney Young will look into the matter with CWC.

Discussion took place on the request of Martin Menne at the June meeting to hookup his house on Shepard Lane to Roxbury Water that the Town Board approved. Mr. Menne had received permission from his neighbor Ellen Wong to hook into her lateral line to avoid running a separate lateral line under the railroad tracks for his house. Councilman Cronk now states that he should have to run his own water line under the railroad tracks because the laterals should be separate for each house and also requested the current water district law be changed to reflect that. When discussing permission given from the neighbor, Mr. Cronk stated he didn't think she understood what she would be getting into.

RESOLUTION #60 – RESOLUTION TO GO INTO EXECUTIVE SESSION TO DISCUSS A PERSONNEL ISSUE AND A LITIGATION MATTER

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

“RESOLVED, the Town Board agreed to enter into Executive Session at 8:35 pm to discuss a personnel issue involving the Highway Dept. and a litigation matter involving NYCDEP. Present were: Supervisor Thomas S. Hynes, Councilmen Allen Hinkley, Edward Raeder, Gene Cronk and Carol Murray, Highway Supt. Stephen Schuman and Attorney Kevin Young.”

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

NAYS-0

Highway Supt. Stephen Schuman exited Executive Session at 8:53 pm.

On motion of Gene Cronk second by Edward Raeder the Town Board and Attorney returned to the regular meeting at 9:26 pm.

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

NAYS-0

It was stated that, during Executive Session, the Board discussed whether to fill the position in the Highway Department created by the recent retirement. No decision was made. The Town Board will allow the position to remain vacant and request that the Highway Superintendent monitor the ability of his department to accomplish the necessary highway maintenance and repair with the reduced staff. The existing Highway Superintendent will also be retiring this year. It was suggested that filling the vacancy could wait until a new Highway Superintendent is elected.

The Town Board also requested that the Town Attorney pursue negotiations with NYCDEP of the overall settlement of the Article 7 brought challenging the assessment of the sewer collection system. The Town Board believed it would be more efficient to complete the settlement then to start over in the TLAP Program.

The Town Board will speak again with Martin Menne regarding hooking up his house on Shepard Lane to the Roxbury Water District.

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

General #265-312	\$34,697.19	Roxbury Sewer #43-50	\$24,579.24
Highway #137-159	\$297,752.88	Denver Sewer #55-64	\$14,632.17
Roxbury Water #43-52	\$4,464.10	Special Lights #8-9	\$2,236.52
Grand Gorge Water #46-57	\$4,997.31	Capital Projects:	
Denver Water #45-51	\$2,244.14	CDBG (HUD) #3	\$38,725.50

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

NAYS-0

The next regular meeting of the Town Board will be held August 10, 2015 at the Grand Gorge Civic Center at 7:30 pm or immediately following the Public Hearing on proposed Local Law #2-2015 Dog License Law, whichever is later.

On motion of Edward Raeder second by Carol Murray the meeting adjourned at 9:30 pm.

THIS IS A TRUE COPY

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