

## APPROVED MINUTES

January 2, 2013

The Town of Roxbury Organizational Meeting was held January 2, 2013 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 and two residents.

On motion of Gene Cronk second by Allen Hinkley the Minutes of the December 27, 2012 year end meeting were approved.

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

NAYS – 0

Hwy. Supt. Stephen Schuman reported that Hinkley Electric is expected to replace 10 lights at the highway garage to energy efficient ones next week and prices will be sought on 28 other energy saving lights through an energy audit. Schuman also reported that A. Montano Equipment has stated that they will cover the used roller warranty for “40 hours use”.

A written monthly report from the Assessor was distributed to the Town Board.

A written end of year summary report from the Building Inspector was distributed to the Town Board.

A letter was received from NYS Homes & Community Renewal stating the Town of Roxbury has been awarded a \$400,000 Community Development Block Grant (NYSCDBG) for housing rehabilitation. The M-ARK Project Inc. will administer the program for the Town.

The Supervisor received a letter from Pat Keith regarding the condition of their barn and will have it available at the next meeting for the Town Board.

Discussion took place on the two options for the intersection of Vega Mtn. Rd. and Grant Morse Rd. The Hwy. Supt. will get a written recommendation from Delaware County DPW for the next meeting.

### RESOLUTION #1 – APPROVE BOND TO PURCHASE A 2013 DUMPTRUCK WITH PLOW & SANDER

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

“RESOLVED, by the Town Board of the Town of Roxbury, Delaware County, New York, as follows  
Section 1. For the specific object or purpose of paying the cost of the purchase of a model year 2013 dump truck with plow and sander for use by the Highway Department, in and for the Town of Roxbury, Delaware County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$215,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$215,000, and the plan for the financing thereof is by the issuance of the \$215,000 bonds of the Town of Roxbury, Delaware County, New York, authorized to be issued pursuant to this resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision twenty-eight of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds authorized is limited to five years, and that the foregoing is not an assessable improvement.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Town Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Town Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Roxbury, Delaware County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to

pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Roxbury, Delaware County, New York, by the manual or facsimile signature of the Town Supervisor and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Town Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he or she shall deem best for the interests of the Town, provided, however, that in the exercise of these delegated powers, he or she shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Town Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Town Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Town Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Town Supervisor shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, shall be published in summary in the Catskill Mountain News, the official newspaper of the Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.”

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

NAYS - 0

The resolution was thereupon declared duly adopted.

#### RESOLUTION #2 – TOWN BOARD MEETING SCHEDULE

On motion of Allen Hinkley second by Carol Murray the following resolution was offered and adopted: “RESOLVED the Town Board for the year 2013 will meet the second Monday of each month for their Regular Monthly Meeting, except for January when they shall meet January 2, 2013 and except for November when they shall meet on November 7, 2013. All meetings will begin at 7:30 pm and will be held at the Town Hall, 53690 State Hwy 30, Roxbury, NY except for April and August when they will meet at the Grand Gorge Civic Center, 60933 State Hwy. 30, Grand Gorge, NY.”

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

NAYS – 0

RESOLUTION #3 – PLANNING BOARD MEETING SCHEDULE

On motion of Carol Murray second by Edward Raeder the following resolution was offered and adopted:  
“RESOLVED the Planning Board for the year 2013 will meet the third Wednesdays of each month for their Regular Monthly Meeting. All meetings shall begin at 7:30 pm and will be held at the Town Hall, 53690 State Hwy. 30, Roxbury, NY.”

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

NAYS – 0

RESOLUTION #4 – HISTORIC COMMISSION MEETING SCHEDULE

On motion of Edward Raeder second by Gene Cronk the following resolution was offered and adopted:  
“RESOLVED the Historic Preservation Commission for the year 2013 will hold meetings the third Mondays of the month at 7:00 pm at the Town Hall for their Regular Monthly Meeting.”

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

NAYS – 0

RESOLUTION #5 – APPOINTMENTS AND COMMITTEES

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

RESOLVED the Town Board approves the following appointments and committees for the year 2013:

POSITION	NAME	TERM
Budget Officer	Carolynn J. Faraci	1/1/13-12/31/13
Assessor Clerk	Stephanie Seminara	1/1/13-12/31/13
Justice Clerk	Sandra Rockwell	1/1/13-12/31/13
Town Historian	Anthony Liberatore	1/1/13-12/31/13
Constable	Stephen Williamson	1/1/13-12/31/13
Dog Control Officer	Verna Dietrich	1/1/13-12/31/13
Building Inspector - CEO	William Walcutt	1/1/13-12/31/13
Deputy Building Inspector - CEO	William Allison	1/1/13-12/31/13
Attorney for the Town	Kevin Young	1/1/13-12/31/13
Water Clerk – 3 water districts	Diane Pickett	1/1/13-12/31/13
Health Officer	Daniel Sullivan	1/1/13-12/31/13
School Crossing Guard	Cheryl McGinnis	1/1/13-12/31/13
CRC Representative	Joseph Farleigh	1/1/13-12/31/13
COMMITTEES		1/1/13-12/31/13
Highway	Edward Raeder & Gene Cronk	1/1/13-12/31/13
Water	Carol Murray & Gene Cronk	1/1/13-12/31/13
Personnel	Carol Murray & Allen Hinkley	1/1/13-12/31/13
Building & Grounds	Gene Cronk & Allen Hinkley	1/1/13-12/31/13
Civic Center	Edward Raeder & Thomas Hynes	1/1/13-12/31/13
Kirkside Park	Allen Hinkley & Edward Raeder	1/1/13-12/31/13

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

NAYS - 0

RESOLUTION #6 – PROCUREMENT POLICY

On motion of Edward Raeder second by Carol Murray the following resolution was offered and adopted:  
“WHEREAS, Section 104-b of the General Municipal Law (GML) require every local governing body to adopt internal policies and procedures governing all procurement of goods and services subject to the bidding requirements of GML, Section 103 or any other law; and

WHEREAS, comments have been solicited from those officers of the Town of Roxbury involved with procurement;

NOW THEREFORE, BE IT RESOLVED, that the Town of Roxbury does hereby adopt the following procurement policies and procedures;

Guideline 1. All purchases of supplies or equipment which will exceed \$10,000 in the fiscal year or

public works contracts over \$20,000 shall be formerly bid pursuant to GML, Section 103.

Guideline 2. All estimated purchases of:

- A. Less than \$10,000 but greater than \$3,000 require a written request for a proposal (RFP) and written/fax quotes from two (2) vendors.
- B. Less than \$3,000 but greater than \$1,000 requires an oral request for the goods and oral/fax quotes from two (2) vendors.
- C. Less than \$1,000 but greater than zero are left to the discretion of the Purchaser.

Guideline 3. All estimated public works contracts of:

- A. Less than \$20,000 but greater than \$3,000 requires a written RFP and fax/proposals from two (2) contractors.
- B. Less than \$3,000 but greater than zero are left to the discretion of the Purchaser.

Guideline 4. Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/ fax/ oral quotes have been requested and the written/ fax /oral quotes offered.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

Guideline 5. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the Town of Roxbury and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

Guideline 6. A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement. The Town Board reserves the right to waive the requirement of more than one proposal provided the Town Board determines that a reasonable effort was made to obtain more than one proposal and that the proposal received is fair and reasonable.

Guideline 7. Except when directed by the Town Board of the Town of Roxbury, no solicitation of written proposals or quotations shall be required under the following circumstances:

- a. Acquisition of professional services;
- b. Emergencies;
- c. Sole source situations;
- d. Goods purchased from agencies for the blind or severely handicapped;
- e. Goods purchased from correctional facilities;
- f. Goods purchased from another governmental agency;
- g. Goods purchased at auction;
- h. Goods purchased for less than \$350;
- i. Public works contracts for less than \$500.

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

NAYS – 0

#### RESOLUTION #7 – INVESTMENT POLICY

On motion of Edward Raeder second by Carol Murray the Town Board adopted an Investment Policy for Town funds for the year 2012. (copy attached)

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

NAYS – 0

#### RESOLUTION #8– OFFICIAL UNDERTAKING

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

“RESOLVED the Town Board approves the Official Undertaking of elected and appointed positions as to its form and manner of execution and the sufficiency of the insurance, as surety as prepared for the Town of Roxbury for 2013”

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

NAYS – 0

On motion of Edward Raeder second by Carol Murray the Town Board approved the Town Supervisor's appointment of Carolynn J. Faraci as Supervisor Bookkeeper for the term 1/1/13-12/31/13.

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

NAYS – 0

On motion of Carol Murray second by Gene Cronk the Town Board approved the Town Supervisor's appointment of Edward Raeder as Deputy Supervisor for the term 1/1/13-12/31/13.

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

NAYS – 0

On motion of Gene Cronk second by Edward Raeder the Town Board approved the Town Clerk's appointment of Carolynn J. Faraci as Deputy Town Clerk #1 for the term 1/1/13-12/31/13.

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

NAYS - 0

On motion of Gene Cronk second by Edward Raeder the Town Board approved the Highway Supt.'s appointment of William Sprague as Deputy Hwy. Supt. for the term 1/1/13-12/31/13.

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

NAYS – 0

On motion of Carol Murray second by Allen Hinkley the Town Board designates the Town Supervisor and Deputy Supervisor as official check signers for the year 2013.

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

NAYS – 0

On motion of Gene Cronk second by Edward Raeder the Town Board approves the services of Atlantic-Inland as Fire Inspector for the year 2013.

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

NAYS – 0

On motion of Allen Hinkley second by Carol Murray the Town Board approved the Catskill Mountain News as the legal newspaper for the year 2013.

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

NAYS – 0

On motion of Edward Raeder second by Carol Murray the Town Board approved NBT Bank N.A. and the National Bank of Delaware County for banking for the year 2013.

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

NAYS – 0

On motion of Carol Murray second by Gene Cronk the Town Board approved Gruver, Zwiefel & Scott LLP as the Town's Certified Public Accountants (CPA) for the year 2013.

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

NAYS – 0

#### RESOLUTION #9 – SEXUAL HARASSMENT POLICY

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

“WHEREAS, on December 10, 2012 the Town Clerk distributed to the Town Board a copy of the Sexual Harassment Policy on file at the Town Clerk's Office, adopted September 9, 1996; and

WHEREAS, the Town Board has reviewed the Sexual Harassment Policy;

NOW, THEREFORE BE IT RESOLVED the Town Board approves the continued use of the Sexual Harassment Policy on file until such time as the Town Board amends said policy.”

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

NAYS – 0

The Town Clerk distributed a copy of the current Employee Handbook to the Town Board on December

10, 2012. The Town Board has reviewed the Handbook and requests the attorney also review the handbook to see what items need updating and report those findings to the Board.

RESOLUTION #10 – PRIVACY NOTIFICATION POLICY

On motion of Gene Cronk second by Edward Raeder the following resolution was offered and adopted: “WHEREAS, on December 10, 2012 the Town Clerk distributed to the Town Board a copy of the current Privacy Notification Policy on file at the Town Clerk’s Office, adopted March 13, 2006; and WHEREAS, the Town Board has reviewed the Privacy Notification Policy; NOW, THEREFORE BE IT RESOLVED, the Town Board approves the use of the current Privacy Notification Policy on file for the year 2013.”  
AYES – 5 Cronk, Raeder, Hinkley, Murray, Hynes  
NAYS – 0

RESOLUTION #11 – WORKPLACE VIOLENCE PREVENTION POLICY

On motion of Gene Cronk second by Carol Murray the following resolution was offered and adopted: “WHEREAS, on December 10, 2012 the Town Clerk distributed to the Town Board a copy of the current Workplace Violence Prevention Policy on file at the Town Clerk’s Office, adopted October 12, 2009; and WHEREAS, the Town Board has reviewed the Workplace Violence Prevention Policy; NOW, THEREFORE, BE IT RESOLVED the Town Board approves the use of the Workplace Violence Prevention Policy for the year 2013; and BE IT FURTHER RESOLVED, The Town Board directs the Town Clerk to distribute the Policy to all employees and approves signed confirmation from all employees that they have received and reviewed said policy to be in lieu of conducting formal annual training on said Policy.”  
AYES – 5 Cronk, Murray, Hinkley, Raeder, Hynes  
NAYS – 0

RESOLUTION #12 – CODE OF ETHICS

On motion of Allen Hinkley second by Carol Murray the following resolution was offered and adopted: “WHEREAS, on December 10, 2012 the Town Clerk distributed to the Town Board a copy of the current Code of Ethics on file at the Town Clerk’s Office, adopted on October 13, 2003; and WHEREAS, the Town Board has reviewed the Code of Ethics; NOW, THEREFORE, BE IT RESOLVED the Town Board approves the use of the current Code of Ethics for the year 2013.”  
AYES – 5 Hinkley, Murray, Cronk, Raeder, Hynes  
NAYS – 0

On motion of Edward Raeder second by Carol Murray the Town Board approved a mileage rate of \$.56.5/mile for employees using their own vehicle for Town business for the year 2013.  
AYES – 5 Raeder, Murray, Cronk, Hinkley, Hynes  
NAYS – 0

On motion of Carol Murray second by Gene Cronk the Town Board approved the payment of \$150 each to the Ralph S. Ives and Earl B. Dudley American Legion Posts for parades for the year 2013 as approved in the budget.  
AYES – Murray, Cronk, Raeder, Hinkley, Hynes  
NAYS – 0

On motion of Gene Cronk second by Edward Raeder the Town Board approved payment of \$300 rent to the Roxbury Fire District as a polling site for the year 2013 as approved in the budget.  
AYES – 5 Cronk, Raeder, Hinkley, Murray, Hynes  
NAYS – 0

On motion of Allen Hinkley second by Edward Raeder the Town Board approved the payment of \$11,000 to the Roxbury Library for the year 2013 as approved in the budget.  
AYES – 5 Hinkley, Raeder, Cronk, Murray, Hynes  
NAYS – 0

On motion of Carol Murray second by Edward Raeder the Town Board approved the Town Clerk's monthly report for December 2012 in the amount of \$851.07 (Town Clerk \$176.07 and Building Permits \$675.00)

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

NAYS – 0

On motion of Carol Murray second by Edward Raeder the Town Board approved the Supervisor's monthly report for November 2012.

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

NAYS – 0

On motion of Gene Cronk second by Edward Raeder the Town Board approved the Assessor's monthly report for December 2012.

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

NAYS – 0

On motion of Allen Hinkley second by Edward Raeder the Town Board approved the contract and payment of \$3,500 to Delaware County Planning Dept. for services in the year 2013.

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

NAYS – 0

Hwy, Supt. Schuman will be meeting with FEMA reps next week regarding S. Montgomery Hlw. Rd. Only Shepard Lane and S. Montgomery Hlw. Rd. have not been paid in full.

The Town Board made no decision on the Retirement time reporting for the Building Inspector.

A monthly report of the Justice Court for December was not received.

The Town Clerk distributed the 2013 open building permit list to the Town Board and a copy of the 2012 building permit summary and revenues.

The Town Clerk distributed the 2013 list of highway equipment to the Town Board.

The Town Clerk distributed the 2012 Annual Report of Town Clerk's receipts/disbursement to the Town Board.

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

General #1-17	\$31,977.99	Roxbury Sewer #1-3	\$15,646.32
Highway #1-4	\$9,294.38	Denver Sewer #1	\$167.50
Roxbury Water #1	\$815.85	Capital Projects:	
Grand Gorge Water #1	\$815.85	Lake St. Project #1	\$38.00
Denver Water #1-2	\$586.45		

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

NAYS – 0

On motion of Carol Murray second by Edward Raeder the meeting adjourned at 8:25 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