

APPROVED MINUTES

April 9, 2012

Two public hearings and regular meeting of the Town Board were held April 9, 2012 at 7:15 pm at the Grand Gorge Civic Center. Present were: Supervisor Thomas S. Hynes, Councilmen Edward Raeder, Gene Cronk, Carol Murray, Hwy. Supt. Stephen Schuman, Atty. Kevin Young and 4 residents. Absent: Councilman Allen Hinkley.

A Public Hearing for proposed Local Law #1-2012 Flood Damage Prevention was called to order at 7:15 pm. The notice calling for the public hearing was read. Atty. Kevin Young explained the law. No one spoke in favor of or against the law.

Lawrence Moran questioned who pays for the cost of the flood maps. Response: FEMA provides the maps.

The public hearing closed at 7:28 pm.

A Public Hearing for proposed local law #2-2012 Grievance Day Change was called to order at 7:29 pm. The notice calling for the public hearing was read. Atty. Kevin Young explained the law. No one spoke in favor of or against the law.

The public hearing closed at 7:31 pm.

The regular meeting was called to order at 7:32 pm. A total of 12 residents were present. It was stated that Councilman Hinkley was absent as he was visiting family out of the area.

On motion of Gene Cronk second by Edward Raeder the Minutes of the March meeting were approved.

AYES - 4 Cronk, Raeder, Murray, Hynes

NAYS - 0

ABSENT - 1 Hinkley

Karina Walker of the Community Resource Dept. stated that she has been working on updating the web site. status of local business association and discussed the September street festival.

Peg Ellsworth reported on the Kirkside Park barn renovation that will go to bid May 1st with an opening on June 7, M-ARK has received Main St. applications, status of railroad depot work, will look into work needed at the ice house building and discussed flood funding status through the M-ARK Project.

Mike Jonker of LVDV Operations Inc (Lamont Eng) stated working with FEMA on facility damages, Hubbell Corners pump station has been repaired and working fine, a flow meter will be replaced at Denver Sewer where funding will be sought from DEP and stated that Denver Water will undergo electric service upgrading on some wells.

Jean D'Antoni of the Planning Board stated they are working with Nan Stolzenburg on the Comp Plan upgrade and the Planning Board has requested a revised fee for inspections from a cap of \$120 to \$150.

Hwy. Supt. Stephen Schuman gave status of FEMA work and funds to date, stated Shepard Lane bridge replacement will begin soon and discussed the Hinkley Electric proposal to change over the current lights to fluorescent at a cost of \$3,500.

On motion of Gene Cronk second by Edward Raeder the Town Board approved the proposal of Hinkley Electric to replace the current lights at the Highway garage with new fluorescent fixtures and bulbs at a cost not to exceed \$3,500.

AYES - 4 Cronk, Raeder, Murray, Hynes

NAYS - 0

ABSENT - 1 Hinkley

The Assessor's monthly report was distributed to the Town Board.

A letter was received from Justice Heather Gockel requesting her court time be changed from Monday's at 7:00 pm to Wednesday's at 7:00 pm.

RESOLUTION #17 - TOWN JUSTICE GOCKEL COURT CHANGE

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

"RESOLVED, the Town Board approves the request of Town Justice Gockel to change her court session from Monday's at 7:00 pm to Wednesday's at 7:00 pm at the Grand Gorge Civic Center; and BE IT FURTHER RESOLVED, said change shall take effect May 1, 2012."

AYES - 4 Raeder, Murray, Cronk, Hynes

NAYS - 0

ABSENT - 1 Hinkley

A letter was received from Alan Beisler stating that he would not be cleaning the Town Hall after May 1, 2012. A letter will be sent thanking him for his many years of service.

A letter of resignation was received from Antha Tobon as School Crossing Guard effective March 31, 2012. A letter will be sent thanking Antha for her service.

Peter Rossi offered an invitation to all for a dance to be held at the Civic Center on May 11, 2012, 7-10 pm with proceeds being donated to the Grand Gorge Rescue Squad, Fire Dept and Community Action Group.

Cherie Serrie questioned the status of cleaning up junkyards. It was responded the matter is being addressed.

On motion of Edward Raeder second by Gene Cronk the Town Board approved the Town Clerk's Monthly Report for March 2012 in the amount of \$1,502.66. (Town Clerk \$432.66 and Building Permits \$1,070.00)

AYES - 4 Raeder, Cronk, Murray, Hynes

NAYS - 0

ABSENT - 1 Hinkley

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

AYES - 4 Raeder, Cronk, Murray, Hynes

NAYS - 0

ABSENT - 1 Hinkley

On motion of Carol Murray second by Edward Raeder the Town Board re-appointed Michael Mathis to the Historic Preservation Commission due to not having taken the oath of office within 30 days of previous appointment. Said term shall be effective 4/9/12-12/31/14.

AYES - 4 Murray, Raeder, Cronk, Hynes

NAYS - 0

ABSENT - 1 Hinkley

On motion of Gene Cronk second by Edward Raeder the Town Board approved a contract with Robert Townsend to inspect remaining Roxbury & Hubbell Corners Sewer lateral installations. Pay rate shall be \$100/day and no benefits.

AYES - 4 Cronk, Raeder, Murray, Hynes

NAYS - 0

ABSENT - 1 Hinkley

On motion of Carol Murray second by Edward Raeder the Town Board approved soliciting Requests for Proposals for an accountant for the Town to compile the annual financial report, conduct an annual audit and any other audits that the Town may require.

AYES - 4 Murray, Raeder, Cronk, Hynes

NAYS - 0

ABSENT - 1 Hinkley

RESOLUTION #18 - PLANNING BOARD FEE CHANGES

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

"WHEREAS, the Town Planning Board has a schedule of fees in place for review and approval of subdivisions; and

WHEREAS, the current maximum fee for inspections is \$120.00; and

WHEREAS, the Planning Board has submitted a request to increase the maximum inspection fee to \$150.00;

NOW THEREFORE BE IT RESOLVED the Town Board approves the increase of the maximum fee for inspections to \$150.00 effective immediately; and

BE IT FURTHER RESOLVED all other planning Board fees shall remain unchanged."

AYES - 4 Raeder, Murray, Cronk, Hynes

NAYS - 0

ABSENT - 1 Hinkley

On motion of Gene Cronk second by Edward Raeder the Town Board approved the destruction of the following office equipment:

| Description | Model # | Serial # | Reason |
|---------------------------------|-------------------------------|----------------|--------------|
| AOC 5E Color 13" Monitor | | N5DA9AI623101 | Upgraded |
| HP DeskJet 612C printer | | TH02A185FS | Doesn't work |
| 50X Max tower (Highway Dept.) | | | Doesn't work |
| Dell keyboard | S/N # CN04N454-37172-43M-ODAO | | Doesn't work |
| Kodak Star 100 Camera | Film type | | Doesn't work |
| Vivitar Vista Tele Camera | Film type | | Doesn't work |
| Argus 600 Camera | Film type | | Doesn't work |
| Bell cordless phone | | XAN810053041-A | Doesn't work |
| Kodak Easyshare Digital Camera | M863 | KCGHK90369021 | Doesn't work |
| HP Office Jet Pro color printer | C8184A | MY72K241XR | Doesn't work |

AYES - 4 Cronk, Raeder, Murray, Hynes

NAYS - 0

ABSENT - 1 Hinkley

On motion of Carol Murray second by Edward Raeder the Town Board approved the official undertaking of the appointed Justice Court Clerk.

AYES - 4 Murray, Raeder, Cronk, Hynes

NAYS - 0

ABSENT - 1 Hinkley

RESOLUTION #19 - LOCAL LAW #1-2012 NEG DEC FLOOD DAMAGE PREVENTION

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

"WHEREAS, the Town Board is adopting a local law that repeals and supersedes Local Law No. 1 of the year 1989 entitled "Flood Damage Prevention Law" in order to maintain the community's eligibility to participate in the National Flood Insurance Program ("NFIP");

WHEREAS, the possible environmental impacts of the adoption of this Law have been considered by the Town Board;

NOW THEREFORE BE IT RESOLVED, that the Town Board has determined that the adoption of new local law entitled "Flood Damage Prevention Law" will not have significant adverse impacts on the environment."

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

AYES - 4 Cronk, Raeder, Murray, Hynes

NAYS - 0

ABSENT - 1 Hinkley

RESOLUTION # 20 - ADOPT LOCAL LAW #1-2012 FLOOD DAMAGE PREVENTION

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

In the Matter of the Adoption of Local Law No. 1 of 2012 entitled "Flood Damage Prevention Law"

WHEREAS, the Town Board has reviewed and considered the proposed Local Law No. 1 of 2012;

WHEREAS, the Local Law was presented to the Town Board at least 10 days prior to the Town Board meeting on March 5, 2012;

WHEREAS, the Town Board adopted a resolution on March 5, 2012 scheduling a public hearing on the proposed Local Law No. 1 of 2012;

WHEREAS, the public hearing was properly noticed in the Town's official newspaper on March 20, 2012;

WHEREAS, the public hearing on the proposed Local Law was held on April 9, 2012 at the Grand Gorge Civic Center;

WHEREAS, the Town Board reviewed and considered all public comments received on the proposed Local Law;

WHEREAS, the proposed Local Law was on file for inspection at the Town Clerk's office prior to the hearing and during the public review process;

WHEREAS, the proposed Local Law maintains the Town's eligibility to participate in the National Flood Insurance Program ("NFIP") and serves to strengthen and protect the Town's environmental resources, public safety, health and welfare;

WHEREAS, the Town Board has caused to be prepared a Short Environmental Assessment Form (EAF) pursuant to the mandates for the State Environmental Quality Review Act (ECL Article 8 and 6 NYCRR Part 617) for the proposed adoption of Local Law No. 1 of 2012;

WHEREAS, the Town Board has duly considered the contents of the EAF for the adoption of Local Law No. 1 of 2012 and completed Parts 2 and 3 thereof;

WHEREAS, the Town Board has identified the relevant areas of environmental inquiry and taken a hard look at them for the adoption of the proposed Local Law No. 1 of 2012; and

WHEREAS, the Town Board has issued a negative declaration under SEQRA for the adoption of the proposed Local Law No. 1 of 2012 thereby complying with the mandates of the State Environmental Quality Review Act.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF ROXBURY,

DELAWARE COUNTY, NEW YORK: THAT THE Town Board of the Town of Roxbury hereby determines that proposed Local Law No. 1 of 2012, attached hereto and made a part hereof, is hereby adopted as a Local Law entitled "Flood Damage Prevention Law"; and IT IS FURTHER RESOLVED, that the Town Clerk and the Attorney for the Town are hereby directed to take such actions as are necessary to implement this resolution and effect adoption of the Local Law."

AYES - 4 Cronk, Raeder, Murray, Hynes

NAYS - 0

ABSENT - 1 Hinkley

RESOLUTION #21 - LOCAL LAW #2-2012 NEG DEC GRIEVANCE DAY

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

"WHEREAS, the Town Board is adopting a Grievance Day Law to establish a date for meetings of the Board of Assessment review; and

WHEREAS, the possible environmental impacts of the adoption of this Law have been considered by the Town Board;

NOW THEREFORE BE IT RESOLVED, that the Town Board has determined that the adoption of the Grievance Day Law will not have significant adverse impacts on the environment."

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

AYES - 4 Murray, Raeder, Cronk, Hynes

NAYS - 0

ABSENT - 1 Hinkley

RESOLUTION #22 - ADOPT LOCAL LAW #2-2012 CHANGE GRIEVANCE DAY

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

"WHEREAS, in accordance with Real Property Tax Law §512 subdivision 1-a the Roxbury Town Board is adopting a local law establishing a date for the meetings of the board of Assessment review other than that provided in subdivision 1 of §512;

WHEREAS, the proposed Law was presented to the Town Board at least 11 days prior to the Town Board meeting on March 5, 2012; and

WHEREAS, the Town Board adopted a resolution on March 5, 2012 scheduling a public hearing on the proposed Law for April 9, 2012; and

WHEREAS, the public hearing on the proposed Grievance Day Law was held on April 9, 2012 at the Grand Gorge Civic Center; and

WHEREAS, the Town Board reviewed and considered all public comments received on the proposed Law; and

WHEREAS, the proposed Law was on file for inspection at the Clerk's office prior the hearing and during the public review process; and

WHEREAS, the Town Board has issued a negative declaration under SEQRA for the proposed Local Law No. 2 of 2012 thereby complying with the mandates of the State Environmental Quality Review Act; and

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF ROXBURY, DELAWARE COUNTY, NEW YORK:

The Town of Roxbury Grievance Day Law, being Local Law No. 2 of 2012, is hereby adopted and the Town Clerk is hereby directed to file said Local Law with the Office of the Secretary of State in accordance with State Law."

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

AYES - 4 Raeder, Cronk, Murray, Hynes

NAYS - 0

ABSENT - 1 Hinkley

On motion of Carol Murray second by Edward Raeder the Town Board accepted the resignation of Antha Tobon as School Crossing Guard and hired Cheryl McGinnis effective immediately at a rate of \$9.50/hr.

AYES - 4 Murray, Raeder, Cronk, Hynes

NAYS - 0

ABSENT - 1 Hinkley

On motion of Gene Cronk second by Edward Raeder the Town Board hired Cheryl Hinkley as cleaner for the Town Hall effective May 1, 2012 at a rate of \$9.45/hr.

AYES - 4 Cronk, Raeder, Murray, Hynes

NAYS - 0

ABSENT - 1 Hinkley

The 1st Qtr - 2012 Radio Station report was distributed to the Town Board.

The Building Inspector bi-monthly summary for February / March 2012 was distributed to the Board.

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

| | | | |
|----------------------|--------------|----------------------------|-------------|
| General #126-188 | \$31,789.44 | Denver Sewer #24-37 | \$14,611.99 |
| Highway #80-110 | \$270,967.21 | Special Lights #5-6 | \$2,211.11 |
| Roxbury Water #19-25 | \$1,626.63 | Capital Projects: | |
| GG Water #22-30 | \$6,988.11 | Hubb Corn Sewer #16 | \$105.00 |
| Denver Water #18-25 | \$1,777.10 | Kirk Park Construct #17-18 | \$11,740.00 |
| Roxbury Sewer #21-32 | \$8,395.77 | Comp Plan #19-20 | \$2,733.93 |

AYES - 4 Murray, Raeder, Cronk, Hynes

NAYS - 0

ABSENT - 1 Hinkley

On motion of Edward Raeder second by Gene Cronk the meeting adjourned at 8:34 pm.

THIS IS A TRUE COPY

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