

## DRAFT MINUTES

August 14, 2023

The regular monthly meeting of the Roxbury Town Board was held August 14, 2023 at 6:00 pm at the Grand Gorge Civic Center and via Zoom. Present were: Supervisor Allen Hinkley, Councilmen Edward Raeder, Kenneth Davie, Michael Hynes and Deanna Osborn, Highway Supt. William Sprague, Parks Director Denise Johnston, Water Operator Christopher Mattice and 28 others in the audience. Available on Zoom: Attorney Lindsay Dodd and 11 others. Absent -Assessor Clerk Stephanie Seminara.

The meeting was opened with the Pledge of Allegiance.

A letter was received from Velga Kundzins requesting the July 10, 2023 Minutes be amended to reflect Chris Ciazza as Board President and Owner of 607 Riders, LLC and to change the wording from “81 residents” present.

On motion of Kenneth Davie second by Michael Hynes the Town Board approved the Minutes of the July 10, 2023 Public Hearing and Regular Meeting reserving the right to make changes after further review if needed and approved the Minutes of the July 24, 2023 Public Hearing and Special Meeting. AYES-5 Davie, Hynes, Raeder, Osborn, Hinkley  
NAYS-0

Supervisor Hinkley stated there would be no more public comments allowed at the Town Board meetings regarding the proposed ATV Law. Letters and emails will still be accepted.

Michael Harrington was not present but submitted a report updating the status of the Water and Sewer Projects as follows:

### Denver Water Project

\*The Hinkley (Ct. 5) and Hubbell (Ct. 6) final pay applications have been presented for consideration tonight.

\*The final drawdown to EFC will be submitted this week. The remaining funds (about \$6,800) will be credited to the Town on the next principal payment (March 2024). The funds from next year’s budget can then be used for any work on the system.

### Roxbury and Grand Gorge Water Project

\*Start-up of PW-3 has been completed and DOH has authorized the use of the new well. Chris has begun using the well today. The tentative schedule is to perform the PW-1 modifications (new controls, replacement well pump, and interior piping modifications) during a 2 to 3-week shutdown starting on the week of 8/21. Once both PW-1 and PW-3 are on-line, the work on PW-2 (demolition of ex. building and new wellhead) will begin.

\*Tweedie is substantially complete on Ct. 8A (Roxbury Hydrant and Valve Improvements) and has submitted a pay application for consideration. I’ve also prepared a Certificate of Substantial Completion (with associated Punch List) for review and Allen’s signature.

\*A few loose ends remain to be addressed at the Springs. We expect those to be sorted out so that we can obtain approval for operation shortly (possibly in conjunction with PW1). The Grand Gorge controls start-up will be able to occur after the revised location of the control panel is confirmed.

\*Ct. 9 (Vega Mtn. Rd) has been submitted to DOH and is “in queue” for review. We have already received DEP approval and have determined that a DEC permit is not needed for the work due to the planned directional drill under the stream. The related easement work (DePodwin, Benson/Leet, and Depuy) is progressing well. Once we obtain DOH approval, we can go to bid.

### Denver Wastewater Study

\*EFC is working on developing the grant agreement between the Town and EFC. Once approved, funds will be able to be drawn down (presumably as they are incurred). I have requested an update from EFC but have not heard back yet.

\*We have begun the review of data and have conducted an initial site visit. We expect to start outlining our report over the next month. That will lead to more detailed study phase work.

An updated cost summary of the Water Projects was distributed to the Town Board.

Renate Rennie, of the Roxbury Library, discussed revenues/expenses, submitting applications for grant funds to do needed repairs/upgrades to the building, the need to make the building ADA Compliant and fundraising efforts to raise money. The Library was given \$17,500 per the 2023 Town Budget and they are now requesting the Town Board approve \$30,000 for the 2024 Town Budget.

Highway Supt. William Sprague reported stone/oil work is done, crews will be installing one more electronic speed sign, crews are making ready roads for next year's work and crews have been cutting down dead trees and trimming branches.

Water Operator Christopher Mattice reported the new PW3 pump was put on-line today and hydrant replacement work has been completed. He also reported Denver Sewer is experiencing control issues that will be looked into.

Henry Lamont of Lamont Engineers, PC discussed the need to do brush clearing along the Roxbury Sewer line in Grand Gorge for access to 500-600 feet of easement but it is difficult due to the ground in that area having bad ruts and gully erosion has exposed pipes to cold and physical damage and trees were downed on the right-of-way by power company trimming. Valves need to be located and exercised annually so they can be closed during emergencies. A quote was received from Accurate Touch Landscaping in the amount of \$3,600 as the work would require hand clearing and string trimming so John Bubach could mow. Drainage is also an issue that requires culvert installation, however, NYCDEP will not allow them to be installed.

A letter was received from Patricia Davis discussing high usages charged on her Grand Gorge Water bill and requested adjustments be made possibly due to a bad meter. The Water Operator will replace the meter this week. The Town Board will review the new meter usages before making a decision for any adjustment.

A letter was received from Todd Hillkewicz, new owner of 1835 Ferris Hill Rd., requesting approval to hook up to Grand Gorge Water. An out of district contract would be needed.

Councilman Raeder expressed concerns with the appearance of the Grand Gorge Water Tank. Water Operator, Christopher Mattice, stated the tank is scheduled for painting next year.

Parks Director, Denise Johnston, submitted a written monthly report to the Town Board and added, she requests that two pavilion renters, who paid \$450 combined, be refunded money due to having to cancel their events. The Boy Scout, earning Eagle Scout, is working on the stairs to the railroad tracks. A Roxbury Central School alumni class may also help refurbish the stone terraces again as they did for a project when they were in school.

Margaret Ellsworth reported the following regarding grants: 1) public input is necessary for the Comprehensive Plan update where a timeline of meetings will be scheduled at a public meeting to be held on August 16 and discussed the update process; 2) a new CDBG Grant application has been submitted; 3) a Letter of Intent has been submitted for a Downtown Revitalization Initiative (DRI) grant for Roxbury and Grand Gorge and fervently requested Grand Gorge input as the application is due Sept. 29 adding, there are links on the Town website where to post comments and thoughts; and 4) the Main Street Program for Roxbury is underway.

Pictures were received from Michael Martin showing graffiti on the Civic Center building. The matter will be looked into further.

Discussion took place on the Civic Center needing new windows. Supervisor Allen Hinkley will look into getting quotes and Margaret Ellsworth was asked to look into grant funding to cover the costs. The roofing company will also be contacted to come and clean out the roof drains to prevent water from backing up.

Discussion took place on two building department issues: 1) increasing the current violation fee for people who build without a building permit will require a local law; and 2) fire inspections may be required for Short-Term Rental (STR) buildings and, if so, the Town Board is considering a fee for said inspection. Further, if inspections would be done on a regular 3-year basis, no local law is required, however, a local law is required for annual inspections of STR's. The Town would go by the County list of STR's who have registered for the bed tax.

Supervisor Hinkley stated the Building Inspector is not interested in the Fire Inspection position so he has also spoken with someone else and is waiting for a response.

Supervisor Hinkley stated the cell tower lease at Denver Water tower is moving forward.

Attorney Lindsay Dodd is reviewing the NYS Dept. of Health Low Income Assistance Program and will respond to the Town Board soon.

Recommendations were made during the CDBG Audit meetings, pertaining to Fair Housing, additional wording to the Procurement Policy, etc. No action was taken by the Town Board and the Supervisor will meet with Margaret Ellsworth to discuss the matter further.

#### RESOLUTION #39 – ENTER EXECUTIVE SESSION

On motion of Kenneth Davie second by Edward Raeder the following resolution was offered and adopted:

“RESOLVED, motion made and seconded for the Town Board and William Schryver to enter into Executive Session at 6:54 pm to discuss a highway contract matter.

AYES-5 Davie, Raeder, Hynes, Osborn, Hinkley

NAYS-0

One additional person joined the audience at 6:57 pm.

#### RESOLUTION #40- EXIT EXECUTIVE SESSION

On motion of Kenneth Davie second by Michael Hynes the following resolution was offered and adopted:

“RESOLVED, motion made and seconded for the Town Board and William Schryver to exit Executive Session and return to the regular meeting at 7:00 pm.

AYES-5 Davie, Hynes, Raeder, Osborn, Hinkley

NAYS-0

It was stated there were no decisions made as a result of Executive Session.

Letters were received regarding the proposed ATV Local Law:

Concerns with Law - Michelle Minovi

Supporting the proposed Local Law - Wendy & Steve Greene, Henry Gockel Jr., Robert Paul, Henry Paul, Alex D. Delitta, Danyelle Gockel, Michael Paul, Maria Paul, Dean D. Delitta and Chris Caiazza

Opposing the proposed Local Law - Robin Factor, Velga Kundzins and Robert Young

Supervisor Hinkley stated it is the consensus of the Town Board that the proposed Local Law for A'V's be tabled for further review. Letters and emails will still be accepted for review. It was questioned how long the review would take and responded as having no time frame.

A letter was received from Renee Barchitta expressing concerns with liability issues and requirements for alcohol at Town of Roxbury meetings, public events/ properties adding that a temporary liquor license would be needed.

A letter was received from Robin Factor requesting the Town Board consider a moratorium on new laws and regulations and major development until the Town completes the public gathering part of the Comprehensive Plan update, requested posting the number of letters received regarding the ATV Law, reflecting the opinion of the writers and if the writers were Roxbury residents.

A letter was received from Robert Young requesting the Town Board consider a moratorium on new laws and regulations and major development until the Town completes the public gathering part of the Comprehensive Plan update.

Joyce Devivo expressed concerns with the conditions and disrepair of sidewalks and parking lots in Grand Gorge, including the Civic Center lot. Sidewalks are overgrown, stone filled, dangerous and, in some cases, have been blacktopped over by the State. Supervisor Hinkley will discuss the matter with State DOT officials and Assemblyman Chris Tague and urged residents to also write to the State and Assemblyman as well. Currently the homeowner is responsible for maintenance of the sidewalk in front of their house. Supervisor Hinkley will also speak with the Highway Supt. regarding cleaning up the Civic Center parking lot.

Frank Lippmann requested the ramp leading to the entrance of the Civic Center be looked into for repair as it is in bad shape and dangerous.

Judith Maguire requested a moratorium on any further development until the Comprehensive Plan update has been completed. She also announced a potluck dinner will be held in the park on September 3, Labor Day weekend, at 6:00 pm.

A letter was received from Mary Jean Scudder expressing concerns with a planned large event, Motos for Mutts, on private property and requested the Town Board consider zoning. It was stated there are no controls by the Town on private property for events such as this.

Paul Russell agreed with the poor sidewalk conditions and requested the Town Board help with repairs. Judith Maguire added, the same issues exist in Roxbury.

Councilwoman, Deanna Osborn stated the new Town Hall Open House & Dedication has been changed from September 22, 2023 to September 28, 2023 with the Open House at 4:30 pm and the Dedication at 5:00 pm.

On motion of Kenneth Davie second by Deanna Osborn the following department reports were approved as follows:

- \*Town Clerk monthly report for July 2023 in the amount of \$1,259.50 (Town Clerk \$334.50 and Building Permits \$925.00)

- \*Supervisor's monthly report for June 2023

- \*Water District monthly reports for July 2023 reflecting receipts in the following amounts: Denver Water \$4,687.70; Grand Gorge \$4,355.92 and Roxbury \$4,303.93

- \*Justice Court monthly report for July 2023 in the amount of \$871.00

- \*Parks Dept. monthly report for August 2023

- \*Building Inspector monthly report for June -August 2023

AYES-5 Davie, Osborn, Raeder, Hynes, Hinkley

NAYS-0

No monthly reports were received from the Assessor or Dog Control Officer.

On motion of Deanna Osborn second by Michael Hynes the Town Board tabled any action on the proposed ATV Local Law indefinitely, for further review of the matter.

AYES-5 Osborn, Hynes, Raeder, Davie, Hinkley

NAYS-0

RESOLUTION #41 – RESILUTION BY THE TOWN BOARD IN RELATION TO CONTROL OF SNOW ON COUNTY HIGHWAYS SECTION 135-A OF THE HIGHWAY LAW

On motion of Edward Raeder second by Kenneth Davie the following resolution was offered and adopted:

“RESOLVED, That in pursuance of Section 135-a of the Highway Law, the Town Board of the Town of Roxbury hereby approves a certain agreement executed by the Town Superintendent of Highways of the Town of Roxbury with the County Superintendent of Highways of Delaware County for the performance by the Town of Roxbury for the work of control of snow on the County Roads within the boundaries of the County, upon the terms, rules and regulations as are contained in copy of such agreement that is annexed hereto and made a part hereof.”

AYES-5 Raeder, Davie, Osborn, Hynes, Hinkley

NAYS-0

RESOLUTION #42-RESOLUTION BY THE TOWN BOARD IN RELATION TO CONTROL OF SNOW ON NEW YORK CITY ROADS

On motion of Kenneth Davie second by Michael Hynes the following resolution was offered and adopted:

RESOLVED, as authorized by agreement between New York City and the County of Delaware, and by Resolution No. 46 of 1991 of the Delaware County Board of Supervisors, the Town Board of the Town of Roxbury hereby approves a certain agreement executed by the Town Superintendent of Highways of the Town of Roxbury with the County Superintendent of Highways of Delaware County for the performance by the Town of Roxbury of the work of control of snow on the New York City Roads within the boundaries of the County, upon the terms, rules and regulations as are contained in copy of such agreement that is annexed hereto and made a part hereof.”

AYES-5 Davie, Hynes, Raeder, Osborn, Hinkley

NAYS-0

No action was taken on appointing a Fair Housing Officer, Cleaning person for the Civic Center or filling the vacancy on the Highway Dept.

RESOLUTION #43-STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS

On motion of Deanna Osborn second by Kenneth Davie the following resolution was offered and adopted:

“BE IT RESOLVED, that the Town of Roxbury/xxxxx hereby established the following standard work days for these titles and will report the officials to the New York State and Local Retirement based on their record of activities:

Name	Social Security Number	NYSLRS ID	Title	Current Term Begin & End	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
ELECTED OFFICIALS									
None									
APPOINTED OFFICIALS									
Diane Pickett	xxxx	Rxxxxxxxx	Denver Water Clerk	01/23-12/23	8	.17 Re-Cert		Semi-Mthly	
Diane Pickett	xxxx	Rxxxxxxxx	Denver Sewer Clerk	01/23-12/23	8	.10 Re-Cert		Semi-Mthly	
Diane Pickett	xxxx	Rxxxxxxxx	Roxbury Sewer Clerk	01/23-12/23	8	.10 Re-Cert		Semi-Mthly	
Carol Shultis	xxxx	Rxxxxxxxx	Roxbury Water Clerk	03/23-12/23	8	.57		Monthly	
Carol Shultis	xxxx	Rxxxxxxxx	Grand Gorge Water Clerk	03/23-12/23	8	.56		Monthly	
Beth Bush	xxxx	Rxxxxxxxx	Bookkeeper	01/23-12/23	8	4.28 Re-Cert		Semi-Mthly	

AYES-5 Osborn, Davie, Raeder, Hynes, Hinkley

NAYS-0

On motion of Edward Raeder second by Kenneth Davie the Town Board approved Todd Hillkewicz (JES Improvements Inc), of 1835 Ferris Hill Rd., to hook up his house to Grand Gorge Water and approved a Grand Gorge Water connection contract for same.

AYES-5 Raeder, Davie, Hynes, Osborn, Hinkley

NAYS-0

On motion of Kenneth Davie second by Edward Raeder the Town Board approved the following:

1. Renewal of Health Insurance Policy with Excellus BlueCross BlueShield at the following rates per month: Single \$617.87, 2-Person \$1,235.74 and Family \$1,760.93. Effective date: 12/1/23
2. Renewal of Health Insurance HRA with Lifetime Benefit Solutions at the following rates per year: Single \$7,500 and 2-Person/Family \$15,000. Effective date: 12/1/23
3. Vision policy change and dental with Excellus BlueCross BlueShield shall be contingent upon speaking with employees regarding a possible change

AYES-5 Raeder, Davie, Hynes, Osborn, Hinkley

NAYS-0

On motion of Deanna Osborn second by Michael Hynes the Town Board approved the Landscaping Proposal of Accurate Touch Landscaping in the amount of \$3,600 for hand clearing and string trimming of a certain Roxbury Sewer easement area containing the sewer main in Grand Gorge.

AYES-5 Osborn, Hynes, Raeder, Davie, Hinkley

NAYS-0

On motion of Kenneth Davie second by Edward Raeder the Town Board approved Denver Water Project Change Order #4, Contract #6, Hubbell Inc., whereby decreasing the contract an amount of \$6,942.29 in order to close out the project.

AYES-5 Davie, Raeder, Hynes, Osborn, Hinkley

NAYS-0

On motion of Deanna Osborn second by Edward Raeder, per the request of Parks Director, Denise Johnston, the Town Board approved a refund of \$300 to Ellen Stewart and a refund of \$150 to Church of the Sacred Heart due to them needing to cancel their park rental event.

AYES-5 Osborn, Raeder, Davie, Hynes, Hinkley

NAYS-0

On motion of Michael Hynes second by Kenneth Davie the Town Board authorized the use of ARPA Funds to purchase additional materials to install the electronic speed signs in the amount of \$187.25 (including a return credit).

AYES-5 Hynes, Davie, Raeder, Osborn, Hinkley

NAYS-0

**RESOLUTION #44 PRE-APPROVAL BILLS**

On motion of Deanna Osborn second by Michael Hynes the following resolution was offered and adopted:

“RESOLVED, the Town Board has audited the following vouchers and invoices and approves payment to the vendor prior to the next Town Board meeting, should funds be received from the funding source, with said vouchers to be included on the next abstract of bills after payment:

<b>Project</b>	<b>Req #</b>	<b>Vendor</b>	<b>Amount</b>	
Grand Gorge Water Project	31	Lamont Engineers PC	\$85.63	
		Lamont Engineers PC	\$233.98	

		Lamont Engineers PC	\$669.63	
		Lamont Engineers PC	\$2,493.53	
		Lamont Engineers PC	\$443.25	
		Lamont Engineers PC	\$56.75	
		Young & Sommer	\$27.00	<b>\$4,009.77</b>
Roxbury Water Project	31	Lamont Engineers PC	\$492.62	
		Lamont Engineers PC	\$5,920.46	
		Lamont Engineers PC	\$4,796.45	
		Lamont Engineers PC	\$6,400.25	
		Lamont Engineers PC	\$614.50	
		Lamont Engineers PC	\$399.25	
		Young & Sommer	\$135.00	
		Young & Sommer	\$337.50	
		Young & Sommer	\$27.00	
		Tweedie Construction	\$83,079.50	<b>\$102,202.53</b>
Denver Water Project	10	Hinkley Associates	\$6,699.12	
		Hubbell Inc.	\$1,000.00	<b>\$7,699.12</b>

AYES-5 Osborn, Hynes, Raeder, Davie, Hinkley  
NAYS-0

Concerns were expressed by a Roxbury Water customer stating the bills sent are very hard to read and figure how the balance was arrived at and requested the Town Board look into changing the billing system.

To take part in the Delaware County Clean Sweep Program for hazardous materials, participants must register by phone or online. Information is on the Town Website and posted at the Transfer Station.

A list of employees who have not yet taken the mandatory annual training for Sexual Harassment and Violence Prevention was distributed to the Town Board.

A notice was received from AED Superstore stating the AED's may not be compliant with AED laws and regulations which require medical direction by a licensed physician. William Schryver, who was involved with the AED purchases, stated he will take care of the matter through the Fire Dept.

Reminders were given that the October Town Board meeting will be held Tuesday October 10<sup>th</sup> (due to Columbus Day holiday) and the November Town Board meeting will be held Thursday November 9<sup>th</sup> (Thursday after Election).

On motion of Michael Hynes second by Kenneth Davie the bills were audited and ordered paid in the following amounts:

General #319-360	\$42,784.04	Denver Sewer #76-87	\$19,329.12
Highway #178-205	\$108,765.60	Special Lights #8	\$1,519.47
Roxbury Water #69-79	\$18,305.53	Capital Projects:	
Grand Gorge Water #67-76	\$17,514.83	Comp Plan - #15	\$650.73
Denver Water #47-51	\$1,995.95	ARPA Funds #16	\$187.25
Roxbury Sewer #47-55	\$8,916.14		

AYES-5 Hynes, Davie, Raeder, Osborn, Hinkley  
NAYS-0

Current ARPA Fund balance with approved bills: \$81,521.23.

On motion of Michael Hynes second by Edward Raeder the meeting adjourned at 7:35 pm.

THIS IS A TRUE COPY

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Diane Pickett, Town Clerk  
Allen Hinkley, Supervisor  
Edward Raeder, Councilman  
Kenneth Davie, Councilman  
Michael Hynes, Councilman  
Deanna Osborn, Councilwoman