

DRAFT MINUTES

June 12, 2023

The regular meeting of the Town Board was held June 12, 2023 at 6:00 pm the at the Town Hall Present were: Supervisor Allen Hinkley, Councilmen Edward Raeder, Kenneth Davie and Deanna Osborn, Highway Supt. William Sprague, Assessor Clerk Stephanie Seminara and 16 residents. Available on Zoom: Sewer Operator Kobi Anfimovas and 2 residents. ABSENT: Councilman Michael Hynes and Attorney Lindsay Dodd.

The meeting was called to order with the Pledge of Allegiance.

On motion of Deanna Osborn second by Edward Raeder the Town Board approved the Minutes of the May 8, 2023 regular meeting.

AYES-4 Osborn, Raeder, Davie, Hinkley

NAYS-0

ABSENT-1 Hynes

Supervisor Hinkley stated Councilman Hynes is excused from the meeting due to attending a family event.

Michael Harrington was not present but submitted a written update on the Water and Sewer Projects as follows:

Denver Water Project

*Chris has some new ideas on how to use the remaining Hubbell contract balance, including the possibility of new finished flooring at the Denver Pump House (currently the flooring is just a plywood sub-floor from the original construction). Pending.

Roxbury and Grand Gorge Water Project

*There are no pay applications for consideration at this time.

*Tweedie has the DOT Permit now and may be ready to get started on Contract 8A (Roxbury Hydrants and Valves). There will be a walk-through of the work area in the near future before Tweedie commits to a schedule for the work.

*A few loose ends remain to be addressed by all wellfield contracts prior to getting both PW-3 and the Springs source on line. These issues should be resolved this month as we have requested a site meeting with all parties (this week). Roxbury PW-1 and PW-2 rehabilitation work to follow. Grand Gorge controls start-up to follow.

*Wellfield site clean-up will be discussed with Evergreen so that the Town can begin mowing the site.

*I understand the EFC short-term loan extension is moving forward; we still need to discuss potential budget modifications (to leverage the full WIIA grant) with Bond Counsel Randy Mayer. Pending

Denver Wastewater Study

*The submission of needed information for the EPG grant was made to EFC on the May 31 deadline. We are waiting to hear back now. Once we get authorization that the submission is complete, we should be able to begin the study. I will check back with EFC on the week of June 19 to confirm when we can get started. On a related issue, we made an initial submission to the EFC PLUS (Project Listing and Update System) in conjunction with Diane; this was the first step toward getting EFC funding for design and construction of the project.

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

Taylor Harris discussed her letter to the Town Board expressing her concerns with the condition of the old highway garage at the north end of the hamlet of Roxbury. It is felt the building is unsafe, is an eyesore, wildlife is getting inside and requested if the Town could do some upkeep. Discussion

took place on possibly selling some of the vintage wagons that are being stored inside for the Park and using ARPA funds to make repairs. The matter will be looked into further.

Sewer Operator, Kobi Anfimovas, submitted a written report and further stated some equipment has been replaced at both the Roxbury and Denver Sewer plants.

Supervisor Hinkley stated a minor leak was detected on a Roxbury water lateral line in the area of Ridge Road/Ridge Road Spur. Water was shut off until fixed.

Margaret Ellsworth stated a grant application through USDA will be drawn up for repairs needed at the Grand Gorge Civic Center. Per a recent Town insurance inspection, the Justice Court needs to have a second means of egress into the hallway. With the Town Historian moving out all his stored historical records from the Civic Center, the Justice Court is now using that additional space for their records.

Supervisor Hinkley will look into the small leak in the basement at the Town Hall due to the recent heavy rains.

Highway Supt., William Sprague, reported: 1) oil & stone has begun; 2) electronic speed signs will be erected soon on State Hwy 30 after hearing from NYSDOT that they will not be changing the placement of their speed reduction signs in that area and 3) crews will be installing the electronic speed sign on County Hwy 41.

A letter was received from Steven Greene stating he is retiring from the Highway Dept. effective June 2, 2023.

On motion of Deanna Osborn second by Kenneth Davie the Town Board acknowledged the retirement of Steven Greene effective June 2, 2023 who served for 25years on the Highway Dept.
AYES-4 Osborn, Davie, Raeder, Hinkley
NAYS-0
ABSENT – 1 Hynes

The Town Assessor submitted a written monthly report and Assessor Clerk, Stephanie Seminara, also discussed the following: 1) the 2023 Tentative Tax Roll was filed on May 1, and added, the County Director is doing a good job; 2) only one person came to open hours with the Tax Roll; 3) Grievance Day received an application from a Tax Consultant Professional that will go to small claims court; and 4) has reported to the building inspector that 7 new buildings/construction have been found without building permits.

Supervisor Hinkley stated the Building Inspector has been out with medical issues and the County Inspector is his Deputy Inspector. Supervisor Hinkley also requested higher violation fees when the Town Board amends the building fee schedule.

Parks Director, Denise Johnston, submitted a written monthly report to the Town Board that included: 1) many events are being scheduled in the pavilion,; 2) the kitchen is being rented once per week by one person; 3) she met with an inspector from Ag & Markets; 4) RCS students worked at the park for the Easter Egg hunt; 5) she is seeking 2 additional summer youth workers; 6) the next Historic Commission meeting will be 7/21/23 at 10 am at the Town Hall; 7) gardens and pathways will be worked on; 8) the Eagle Scout will begin working on the trail in a few weeks; 9) fireworks are scheduled for 9/3/23; 10) a Kirkside Inn fundraiser will be held in the park; 11) the kitchen needs an air conditioner; 12) some trees need to be taken care of and 13) she needs to discuss a parking deficiency once the Kirkside Inn is established. It was also stated a Vaudeville Circus will be held in the Park June 17 at 3:00 pm.

Margaret Ellsworth of the MARK Project, Inc. reported the following: 1) a new proposed CDBG application is waiting to hear if it can be used for rental buildings; 2) the CDBG audit response requires a resolution of the Town Board to make good faith efforts to provide and support fair housing and to appoint a Fair Housing Officer.

RESOLUTION #28- SCHEDULE PUBLIC HEARING CDBG

On motion of Deanna Osborn second by Edward Raeder the following resolution was offered and adopted:

RESOLVED, the Town of Roxbury Town Board schedules a Public Hearing for July 10, 2023 at 6:00 pm at the Roxbury Town Hall for the purpose of hearing public comments on the Town of Roxbury's community development needs and to discuss the possible submission of one or more Community Development Block Grant (CDBG) applications for the 2023 program year."

AYES-4 Osborn, Raeder, Davie, Hinkley

NAYS-0

ABSENT-1 Hynes

On motion of Deanna Osborn second by Edward Raeder the Town Board approves an Agreement with the MARK Project, Inc, in the amount of \$5,000, for services to prepare a Community Development Block Grant (CDBG) application and further authorizes the Supervisor to execute said agreement.

AYES-4 Osborn, Raeder, Davie, Hinkley

NAYS-0

ABSENT: 1 Hynes

RESOLUTION #29 - FAIR HOUSING RESOLUTION

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

"WHEREAS, the Town of Roxbury is dedicated to Fair Housing Practices in the Town of Roxbury and will make a good faith effort to ensure that all persons are afforded fair housing opportunities within the Town of Roxbury; and

WHEREAS, the Town of Roxbury will develop a Fair Housing Plan as part of its comprehensive plan update to include the following components:

- Promote maximum choice within the community's total housing supply;
- Lessen racial, ethnic, and economic concentrations;
- Facilitate desegregation and racially inclusive patterns in the occupancy and use of public facilities;
- Display Fair Housing Posters and distribute a Fair Housing Handout and Complaint Pamphlet to explain fair housing rights, practices and statutory requirements.
- Promote and publicize this resolution within the community
- Designate a Fair Housing Officer who is familiar with the fair housing regulations to be the primary point of contact for all fair housing related issues.

NOW, THEREFORE BE IT RESOLVED that the Town of Roxbury is committed to fair housing standards within the Town."

AYES-4 Davie, Osborn, Raeder, Hinkley

NAYS-0

ABSENT-1 Hynes

One resident arrived at 6:33 pm.

RESOLUTION #30 – RESOLUTION OF THE TOWN OF ROXBURY SUPPORTING THE KIRKSIDE PROJECT

On motion of Edward Raeder second by Deanna Osborn the following resolution was offered and adopted:

“WHEREAS, Town of Roxbury understands that the Kirkside Project is a MARK Project initiative, and the Kirkside Mansion is owned by the MARK Project.

WHEREAS, The Town understands that the goal of the Kirkside Project is to renovate the historic Kirkside Mansion into The Inn at Kirkside, a fully operational hotel/restaurant with an integrated training program for aspiring professionals in the hospitality and tourism industries.

WHEREAS, Graduates from hospitality programs will complete a two-year paid residential fellowships that provide hands-on guided experience in every aspect of operation of the Inn, along with ongoing education that emphasizes not only skill development but also collaboration, innovation, place-making, and green technologies. The program capstone is career development, with emphasis on entrepreneurship opportunities, including knowledge of available resources and locations in the region.

WHEREAS, the Town board recognizes that, when completed, this project holds the potential to serve as an economic stimulus for the region while preserving an iconic historic structure on Roxbury’s Main Street.

WHEREAS, the vision for Inn at Kirkside is to feed the hospitality and tourism industry while celebrating its deeply rooted history, supporting local agriculture, and fostering opportunities to attract new business and cultivate a skilled workforce and pool of entrepreneurs.

WHEREAS, the Town of Roxbury looks to ensure the community continues to welcome visitors and forever strives to improve the quality of life and sense of place for full and part time residents alike.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Roxbury supports the MARK Project’s effort to implement the Kirkside Project and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Roxbury approves and endorses the 2023 NY Main Street application for assistance prepared and to be submitted by the MARK Project.”

Passed by the following vote of all Town Board Members voting in favor thereof:

AYES-4 Raeder, Osborn, Davie, Hinkley

NAYS-0

ABSENT: 1 Hynes

Margaret Ellsworth will also compile the response for the 2018 CDBG Audit on behalf of the Town.

The Town Board tabled the following items on the agenda: hiring a Fire Inspector, Highway Contract buyout and dues (personnel committee to look into) and amending the building fee schedule.

RESOLUTION #31-RESOLUTION SCHEDULING A PUBLIC HEARING ON A LOCAL LAW DESIGNATING TOWN HIGHWAYS FOR TRAVEL BY ATVS

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

“WHEREAS, New York State Vehicle and Traffic Law 2405 authorizes municipalities to post and designate certain highways within such municipalities for travel by ATVs, as defined in section 2281 of the Vehicle and Traffic Law;

WHEREAS, The Town Board of the Town of Roxbury has determined that it is appropriate for All-Terrain Vehicles (“ATVs”) to access certain areas and/or trails adjacent to the Town highways and deems it appropriate to designate Town highways for travel by ATVs;

WHEREAS, the proposed local law would provide that registered and insured ATVs may travel upon the shoulder of Town Highways subject to certain rules and requirements;

WHEREAS, the Town Board members and Town Attorney have reviewed a proposed draft of the local law which has now been introduced by a member of the Town Board.

NOW, THEREFORE, BE IT RESOLVED that the Town Board accepts the proposed draft Local Law that has been introduced; and

BE IT FURTHER RESOLVED, that a copy of the proposed draft Local Law shall be placed in the Town Clerk’s office and made available for public inspection; and

BE IT FURTHER RESOLVED, that the Town Board will hold a public hearing for consideration of

the Local Law on July 10, 2023 at the Roxbury Town Hall immediately following a Public Hearing scheduled for 6:00 pm; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to publish notice of said hearing in the Mountain Eagle, 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-4 Davie, Raeder, Osborn, Hinkley

NAYS-0

ABSENT-1 Hynes

RESOLUTION #32– RESOLUTION TO 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 to enter into Executive Session at 6:38 pm to discuss a contract and personnel matter.

AYES-4 Davie, Raeder, Osborn, Hinkley

NAYS-0

ABSENT-1 Hynes

RESOLUTION #33– RESOLUTION TO EXIT EXECUTIVE SESSION

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

“RESOLVED, motion made and seconded for the Town Board to exit Executive Session and return to the regular meeting at 7:11 pm.”

AYES-4 Davie, Osborn, Raeder, Hinkley

NAYS-0

ABSENT-1 Hynes

Supervisor Hinkley stated there were no decisions as a result of Executive Session.

Attorney Lindsay Dodd joined the meeting on Zoom.

Lengthy discussion took place on the proposed Local Law for ATV/UTV use of Town roads where several residents in the audience were against the law. Attorney Lindsay Dodd answered questions and Councilman Davie felt it only fair to hold a public hearing to get community comments.

A letter was received from Sean O’Shaughnessy in opposition to the proposed nightclub on Park Street. His concerns include noise, hours of operation, potential for altercations and adequate policing, increased traffic, economic impact on the community likely leading to a decline in real estate prices and posing significant challenges that would detrimentally impact residents, quality of life and overall character of the Hamlet of Roxbury.

Further discussion took place regarding the proposed nightclub. Supervisor Hinkley responded the Town has no zoning, ultimate issuance of the liquor license is up to the State Liquor Authority and residents can send comments to the State Liquor Authority regarding the application. The notice of application submitted to the Town stated it was for a liquor license, and would include recorded music and dancing. Margaret Ellsworth added, since the Town Board will be updating the Comprehensive Plan it would be a good time to possibly put a moratorium on mixed use buildings such as this.

A letter was received from Eugene Cook, Councilman of the Town of Huntington, NY who sponsored a resolution regarding voter identification for accuracy of voter rolls maintained by the Board of Elections.

Judith Maguire questioned whether a Dollar General store is coming near to the hamlet of Roxbury. It

was stated the Planning Board received a proposed plan but has not heard anything since. It would require Site Plan review and there are issues with the proximity to the stream that may come under NYCDEP overview, flood zone issues and issues with the Roxbury Sewer main on that property. No applications have been received as of this date. Robin Factor suggested doing zoning to protect the community and requested the Town Board look into doing it. Supervisor Hinkley discussed the process for zoning and added that it had been turned down several years ago. Councilwoman Osborn stated she doesn't see the need for zoning right now.

On motion of Kenneth Davie second by Deanna Osborn the Town Board approved the following Department reports:

- *Town Clerk monthly report for May 2023 in the amount of \$2,479.50 (Town Clerk \$519.50 and Building Permits \$1,960.00)

- *Supervisor's monthly report for April 2023

- *Assessor's monthly report for May 2023

- *Water District monthly report for May 2023 in the following amounts: Denver \$1,406.92; Grand Gorge \$1,385.53 and Roxbury \$2,293.83

- *Justice Court monthly report for January 2023 in the amount of \$2,630.00 and April 2023 in the amount of \$2,564.00

- *Parks Dept. monthly report for June 2023

- *Tax Collector monthly report for April 2023 (final and reconciled with the County)

AYES-4 Davie, Osborn, Raeder, Hinkley

NAYS-0

ABSENT -1 Hynes

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

No action was taken to fill the vacancy on the Highway Dept.

On motion of Deanna Osborn second by Edward Raeder the Town Board acknowledged the 2022 Annual Water Quality Reports that have been sent to all customers, posted on the Town website, advertised in the newspaper, sent to the required agencies and available for inspection at the Town Clerk's Office.

AYES-4 Osborn, Raeder, Davie, Hinkley

NAYS-0

ABSENT-1 Hynes

On motion of Deanna Osborn second by Kenneth Davie the Town Board acknowledged the NYS Dept. of Health Violation for missed Roxbury Water District testing for Primary Inorganic Chemicals in 2022 with said notice being sent to all Grand Gorge and Roxbury Water Customers, being posted on the Town Website, sent to the required agencies and available at the Town Clerk's Office for inspection.

AYES-4 Osborn, Davie, Raeder, Hinkley

NAYS-0

ABSENT-1 Hynes

On motion of Deanna Osborn second by Edward Raeder the Town Board accepted the estimate of Peter's Welding & Fabrication for needed repairs at the Transfer Station in the amount of \$9,800.00 and further authorizes the use of ARPA Funds to pay said costs.

AYES-4 Osborn, Raeder, Davie, Hinkley

NAYS-0

ABSENT-1 Hynes

On motion of Edward Raeder second by Deanna Osborn the Town Board approved the quote of Country Home Security for installation of panic buttons at the Town Court in the amount of \$625.00

and further authorized the Town Supervisor to execute the quote.
AYES-4 Raeder, Osborn, Davie, Hinkley
NAYS-0
ABSENT-1 Hynes

The Town Board tabled the cell tower lease with Verizon.

Nothing has been received from the Town Attorney for response to the proposed NYCDEP Land Acquisition #3562.

On motion of Kenneth Davie second by Deanna Osborn the Town Board will hold an open house and dedication of the new Town Hall on July 10, 2023 5:00 pm – 6:00 pm.
AYES-4 Davie, Osborn, Raeder, Hinkley
NAYS-0
ABSENT-1 Hynes

Notice has been received from Excellus BlueCross BlueShield stating premiums are expected to increase 14% for the renewal year.

The Town Board tabled discussion regarding the NYS Dept. of Health Low Income Household Water Assistance Program.

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

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

General #203-263	\$47,799.63	Roxbury Sewer #31-38	\$47,391.18
Highway #141-158	\$32,049.94	Denver Sewer #47-61	\$38,177.17
Roxbury Water #49-59	\$3,557.11	Special Lights #6	\$1,520.20
Grand Gorge Water #48-55	\$2,443.83	Capital Projects:	
Denver Water #36-40	\$2,576.59	ARPA Funds	\$7,424.17

AYES-4 Osborn, Raeder, Davie, Hinkley
NAYS-0
ABSENT-1 Hynes

A reminder was given the Republican Primary will be June 28th. Roxbury and Denver voters will now be voting at the Town Hall for all elections.

ARPA Fund balance is \$91,508.48.

On motion of Kenneth Davie second by Deanna Osborn the meeting adjourned at 7:59 pm.

THIS IS A TRUE COPY

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

