

DRAFT MINUTES

May 8, 2023

The regular meeting of the Town Board was held May 8, 2023 at 6:00 pm the at the Town Hall Present were: Supervisor Allen Hinkley, Councilmen Edward Reader, Kenneth Davie, Michael Hynes and Deanna Osborn, Highway Supt. William Sprague, Assessor Clerk Stephanie Seminara, Parks Director Denise Johnston and 25 residents. Available on Zoom: Attorney Lindsay Dodd, Water Operator Christopher Mattice, Sewer Operator Kobi Anfimovas and 7 residents.

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

On motion of Kenneth Davie second by Deanna Osborn the Town Board approved the Minutes of the April 10, 2023 Public Hearing and regular meeting.

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

NAYS-0

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).

Roxbury and Grand Gorge Water Project

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

*I understand that material availability has caused a delay in getting started on Contract 8A (Roxbury Hydrants and Valves). In the meantime, Tweedie is working on the DOT utility work permit (joint permit for Tweedie and Town).

*Controls start-up for Roxbury PW-3 and Springs system on April 17 and 18 went pretty well; a few loose ends remain to be addressed by all contracts prior to getting both sources on line. These issues should be resolved this month. Roxbury PW-1 and PW-2 rehabilitation work to follow. Grand Gorge controls start-up to follow.

*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.

Denver Wastewater Study

*A submission should be made to EFC by the Town to describe the RFQ process for engineering services and the receipt of only one qualifications package. Concurrently, we will update our 2021 proposal (which was used as the basis of the funding application) for execution once authorized. Also, consider authorizing the Supervisor to sign all necessary documents to complete the EFC submission. Note that EFC encourages you to complete the submission by May 31, 2023, but has indicated that an extension is possible, if warranted.

Water Project cost summary updates were distributed to the Town Board.

A letter was received from Jenny Rosenzweig requesting the Town Board adopt a Proclamation, which she read, to make June 2023 Pride Month in the Town of Roxbury and discussed the need for it. Other Towns, Cities and Villages have adopted one and there are other Towns considering it. The matter was discussed.

RESOLUTION #22- PROCLAMATION DECLARING JUNE 2023 AS PRIDE MONTH IN THE TOWN OF ROXBURY, NEW YORK

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

“WHEREAS, the Town of Roxbury values and respects all individuals, and is deeply committed

to fostering a welcoming and inclusive community; and
WHEREAS, the month of June is celebrated and proclaimed throughout the United States as Lesbian, Gay, Bisexual, Transgender, and Queer Pride Month in commemoration of the 1969 Stonewall Uprising which sparked a nationwide movement for equality and in recognition of the impact that members of the LGBTQ+ community and allies have had locally, statewide, and nationally; and

WHEREAS, the Town of Roxbury joins villages, towns, cities, states, and the federal government in recognizing the resilience and determination of the many individuals who continue working tirelessly to support inclusion in communities where all individuals can live freely and authentically; and

WHEREAS, the Town of Roxbury recognizes the work of local advocates and organizations that promote the well-being of the LGBTQ+ community; and

WHEREAS, the Town of Roxbury is committed to standing with and supporting the LGBTQ+ community and working to ensure that all individuals are welcomed and treated with respect and dignity.

NOW, THEREFORE, BE IT RESOLVED that I, Allen Hinkley., Town of Roxbury Supervisor, do hereby proclaim June 2023 as LGBTQ+ Pride Month in the Town of Roxbury and encourage all to celebrate the spirit of Pride Month year-round with acts of kindness and inclusion.”

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

NAYS-0

Water Operator, Christopher Mattice, reported the following:

Denver Water

*Pump #6 re-installed under warranty so only labor had to be paid

*\$6,000 remains in Water Project funds and requested a new floor be installed at the pumphouse

Roxbury Water

*Start up of new Well #3 and spring

*Need to connect Well #2 to Well #3

Sewer Operator, Kobi Anfimovas, reported the following:

Denver Sewer

*Cammer Construction has begun roof work

*Supv. Hinkley will look into getting a company to fill the propane tank for the generators

Roxbury Sewer

*Mowing along the force main will be starting soon

Discussion took place on repairs needed at the Grand Gorge Civic Center that include roof work, windows and doors. Grants will be looked into that may require income surveys.

Two residents arrived at 6:17 pm.

Councilman Raeder stated the Historian has moved out of one room in the Civic Center and the Justices have asked to use it for attorneys to speak with their clients. The Justices are also requesting the bathroom fixtures be removed in their room to allow for more storage. Councilman Raeder will speak with Rich Davis to see if the bathroom items can be removed.

The Assessor submitted a written report to the Town Board and Assessor Clerk, Stephanie Seminara also reported the following: 1) The 2023 Tentative Roll has been filed and awaits a link from the County to put it on the Town website; 2) discussed the County having passed a resolution to withdraw tax collection/foreclosure proceedings on a parcel on Intake Rd., that has unpaid taxes, allowing the Town to move it to the Exempt portion of the Tax Roll; 3) again expressed concerns with building permit issues and discussed the County possibly purchasing the Change Finder program so all Towns could use it to more easily identify all changes to property that would also benefit tax roll assessments.

Park's Director, Denise Johnston submitted a written report to the Town Board and also reported water and gas have been turned on for the summer and the kitchen is open, adding, since the building is not temperature controlled, the refrigerator will be turned off during extreme heat periods.

Margaret Ellsworth reported the following: 1) the CDBG audit went well and she will be applying for new CDBG funding; 2) will look into grant funds for needed repairs at the Civic Center; 3) the DRI grant application was denied and will reapply for in August; 4) a steering committee has been formed for updating the Comprehensive Plan and includes Judith Maguire, Jenny Rosenzweig, Christopher Rintin, Roger Barchitta, Simona David, Richard Caffiero and Melissa Delvecchio; 5) will look into grant funding with Ag & Markets for the Comp Plan and will set up a meeting with Nan Stolzenburg; 6) requested the Town Board do the Complete Streets program which requires a resolution and incorporating it in the Comprehensive Plan, and 7) requested the Town Board do the Climate Smart Community Program.

Highway Supt., William Sprague reported 1) crews have been busy sweeping roads and stone & oil roads have started; 2) requested putting the old radios and generator on the auction site for sale and 3) will be speaking with NYSDOT regarding a speed sign change on State Hwy 30 North in Grand Gorge for placement of the electronic speed sign waiting to be put up.

Matters were tabled on hiring a Fire Inspector, Highway Contract issues and changing the building permit fee schedule.

Lengthy discussion took place on a proposed Local Law that would allow ATV/UTV riders to use Town roads. Concerns were raised including, but not limited to safety, Town liability, having to be a member of the ATV/UTV club in order to get a permit, permit issuance and enforcement. Representatives were present from the ATV/UTV Club to answer questions. Attorney Lindsay Dodd suggested the Town Board not adopt the law as written. Margaret Ellsworth stated allowing such activity would be counterintuitive to the Town doing the Complete Streets Program. The matter was tabled to speak with the Town Attorney further.

A letter was received from Sean O'Shaughnessy supporting the Proclamation for Pride Month.

A letter was received from Dennis and Darrell Slater requesting to hook up their small office building, located at 161 Hubbell Corners Rd, Tax Map #157.2-1-23, to Grand Gorge Water. A curb box is already in place and would require 25 feet of service line to connect with said cost to be at the expense of the owners.

RESOLUTION #23-SLATER GRAND GORGE WATER HOOKUP

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

“WHEREAS, the Town Board has received a request from Dennis and Darrell Slater, owners of a small office building located at 161 Hubbell Corners Rd., Tax Map #157.2-1-23, to hook up to the Grand Gorge Water main; and

WHEREAS, said property is outside of the Grand Gorge Water District but is along the Grand Gorge Water main that was installed several years ago and a water shut off is installed there; and

WHEREAS, connection requires the Owner's entering into a Water Connection Contract; and

WHEREAS, once the connection is made, the property will be added to the Grand Gorge Water District; and

WHEREAS, the connection is at the sole expense of the Owner, except the District shall supply a water meter;

BE IT RESOLVED, the Town Board approves Dennis and Darrell Slater to hook up their small office building, located at 161 Hubbell Corners Rd. to the Grand Gorge Water Main per terms and conditions contained in the Water Connection Contract.”

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

RESOLUTION #24-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 Highway Supt. William Sprague to enter into Executive Session at 7:06 pm to discuss personnel and contract matters.

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

Highway Supt. Sprague exited Executive Session at 7:23 pm.

RESOLUTION #25- EXIT EXECUTIVE SESSION

On motion of Michael Hynes second by Kenneth Davie 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 7:37 pm.

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

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

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

*Town Clerk monthly report for April 2023 in the amount of \$2,380.50 (Town Clerk \$595.50 and Building Permits \$1,785.00)

*Supervisor’s monthly report for February and March 2023

*Assessor’s monthly report for April 2023

*Water District reports for April 2023 reflecting the following receipts: Denver \$2,414.84; Grand Gorge \$3,933.26 and Roxbury \$5,446.53

*Justice Court monthly report for March 2023 in the amount of \$3,798.00

*Parks Dept. monthly report for April 2023

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

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

Discussion took place on a letter received from NYC DEP who is looking to purchase land on Redkill Rd. as Project #3562. Attorney Kevin Young is requesting the Town Board oppose the purchase and he will be putting together a response for the Town Board. The Roxbury Planning Board has stated they will not be commenting on the proposed purchase.

The Town Board discussed the request of Teare Korbul to have her Grand Gorge Water account further credited for high use charge months due to the meter not reading correctly. Adjustment sheets were distributed to the Town Board.

On motion of Deanna Osborn second by Edward Raeder the Town Board approved further adjustments to Grand Gorge Water Account #363, Teare Korbul, due to incorrect meter reads whereby the account will be credited \$161.54.

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

On motion of Deanna Osborn second by Kenneth Davie the Town Board approved a Change Order for

Siewart Equipment as an additional cost of \$2,250 for installation of the grinder pump at Roxbury Sewer and authorizes the Town Supervisor to execute said Change Order.

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

NAYS-0

On motion of Edward Raeder second by Michael Hynes the Town Board approved the contract with Skysooter Displays in the amount of \$5,180 for the Labor Day fireworks in the Park this year and authorizes the Supervisor to execute the contract.

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

NAYS-0

Requests for Qualifications (RFQ) were advertised for the Denver Sewer District Improvements Project, were emailed to several firms and were due to the Town Clerk by 3:00 pm on April 28, 2023. Only one RFQ was received as follows:

Vendor	Received
Barton & Loguidice	NO
Cedarwood Engineering	NO
Creighton Manning	NO
Delaware Engineering	NO
LaBerge Group	NO
Lamont Engineers P.C.	YES
Rettew Engineering	NO

RESOLUTION #26-RESOLUTION BY THE TOWN BOARD OF THE TOWN OF ROXBURY AUTHORIZING EXECUTION OF ENGINEERING SERVICES AGREEMENT FOR DENVER SEWER DISTRICT PROJECT

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

“WHEREAS, the Town Board of the Town of Roxbury (the "Town Board") is undertaking a project referred to as the Denver Sewer District Improvements Project relating to the upgrades to the wastewater treatment facilities of the Town's Denver Sewer District (the “Project”); and

WHEREAS, certain engineering services are required in order to apply for funding from the Clean Water State Revolving Fund that would assist the Town in securing necessary financial assistance in the form of grants and subsidized loans to fund the Project, including an approved preliminary engineer’s report and evaluation of environmental impacts,

WHEREAS, to assist the Town Board in this process, a proposal to provide professional engineering services was solicited and received from Lamont Engineers, a company which provides professional engineering services;

WHEREAS, Lamont Engineers’ proposal with scope of services has been reviewed and considered by the Town Board and its consultants;

WHEREAS, after careful consideration, the Town Board has determined that it would be in the public’s best interest to execute a contract with Lamont Engineers to provide professional engineering services described in said proposal.

NOW THEREFORE BE IT RESOLVED that the Town Board does hereby determine that it would be in the Town’s best interest to enter into a contract with Lamont Engineers to provide the engineering services described in the attached proposal and scope of services.

BE IT FURTHER RESOLVED that the Town Board does hereby authorize the Supervisor to execute and enter into a contract with Lamont Engineers to provide the engineering services described in the attached proposal and scope of services.”

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

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

NAYS-0

On motion of Kenneth Davie second by Michael Hynes the Town Board authorizes submission of

paperwork to NYSEFC for records related to the Denver Sewer District Improvements Project grant funds, including notification that one Request for Qualifications was received, and further authorizes the Town Supervisor to execute any paperwork necessary to complete the EFC submission and secure the funds.

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

NAYS-0

RESOLUTION #27-ARPA FUNDS FOR METER READ EQUIPMENT

On motion of Edward Raeder second by Michael Hynes the following resolution was offered and adopted:

“WHEREAS, the meter read transceiver for the Roxbury and Grand Gorge Water District meters is inoperative and cannot be repaired; and

WHEREAS, a new meter read transceiver is available from Mueller Co., LLC at a cost of \$6,831.88;

NOW, THEREFORE BE IT RESOLVED, the Town Board authorizes the purchase of a new meter read transceiver from Mueller Co., LLC in the amount of \$6,831.88; and

BE IT FURTHER RESOLVED, the Town Board authorizes ARPA Funds to be used for the purchase as infrastructure.”

AYES-5 Raeder, Hynes, Davie, Hinkley

NAYS-0

In November 2022 the Town Board approved a list of unpaid Grand Gorge Water amounts which was approved to be put on the tax bills of those owners. Prior to sending it to the County, a final sort of the list caused the tax map numbers to be disconnected from the tax amounts thus causing incorrect amounts to be applied on the tax bills for several accounts.

On motion of Deanna Osborn second by Edward Raeder the Town Board approved the correction of unpaid Grand Gorge Water amounts on the tax bills by the following process:

1. If overcharged \$100 or more – owners will have a choice of whether they want a reimbursement check for the amount of difference OR if they want the difference credited on their water account
2. If overcharged less than \$100 – amount of difference will be credited on the water account
3. If undercharged any amount – amount of difference will be charged on the water account

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

NAYS-0

The Town Board received notification from The Tunnel NY LLC that they will be applying for a liquor license for 72 Park Lane. Supervisor Hinkley stated he had received comments from a few people on the matter.

On motion of Michael Hynes second by Deanna Osborn the Town Board approves the issuance of a Liquor License by the NYS Liquor Authority for The Tunnel NY, LLC for 72 Park Lane and further waives the 30 day hold on issuance of the license.

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

NAYS-0

A list of employees who had not yet taken the mandatory annual trainings for Harassment & Discrimination and Violence Prevention was distributed to the Town Board.

Judith Maguire questioned why several items on the ARPA public needs list have not been done. Supervisor Hinkley explained how the use of ARPA funds is decided by the Town Board and must be spent or obligated by 12/31/24.

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

General #153-202	\$158,460.63	Roxbury Sewer #25-30	\$45,643.31
Highway #112-140	\$162,734.54	Denver Sewer #39-46	\$14,606.26
Roxbury Water #38-48	\$6,006.57	Special Lights #5	\$1,518.40
Grand Gorge Water #36-47	\$6,280.15	Capital Projects:	
Denver Water #28-35	\$4,025.28	ARPA Funds #11	\$6,831.88

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

On motion of Deanna Osborn second by Edward Raeder the meeting adjourned at 8:06 pm.

THIS IS A TRUE COPY

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