

## DRAFT MINUTES

April 10, 2023

A Public Hearing and regular meeting of the Town Board was held on April 10, 2023 at the Grand Gorge Civic Center. Present were: Supervisor Allen Hinkley, Councilmen Edward Reader, Kenneth Davie, Michael Hynes and Deanna Osborn, Highway Supt. William Sprague, Assessor Clerk Stephanie Seminara and five residents. Available on Zoom: Water Operator Christopher Mattice, Sewer Operator Kobi Anfimovas and six residents.

The Public Hearing was called to order at 5:48 pm to hear comments on proposed Local Law #1-2023 entitled "A Local Law to Authorize a Partial Real Property Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers".

Joyce Devivo stated there are many people she has spoken with that are in favor of the local law. And questioned spouses coverage. It was stated it would be for widowed spouses.

William Schryver questioned what the schools want.

Joseph Aulino questioned the requirements. Supervisor Hinkley explained the Fire Depts. keep track of all time and eligibility and must report it each year to the Town Assessor.

The hearing closed at 5:52 pm.

The regular meeting was called to order at 6:00 pm with the Pledge of Allegiance.

On motion of Kenneth Davie second by Deanna Osborn the Town Board approved the Minutes of the March 20, 2023 meeting.

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

NAYS-0

Michael Harrington submitted a written update report for the Water and Sewer projects:

Denver Water Project

\*Nothing new to report.

Roxbury and Grand Gorge Water Project

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

\*No word yet from Tweedie on Contract 8A (Roxbury Hydrants and Valves), but they should be set to start soon. The only remaining item is the pending DOT utility work permit (joint permit for Tweedie and Town).

\*Controls start-up for Roxbury PW-3 and Springs system is set for April 17 and 18. Roxbury PW-1 and PW-2 rehabilitation work to follow. Grand Gorge controls start-up to follow (hopefully by June).

\*We still need to discuss the pending EFC short-term loan extension and potential budget modifications with Bond Counsel Randy Mayer.

Denver Wastewater Study

\*I recommend that you authorize the Supervisor to move forward with the EFC-required Request for Qualifications (RFQ) process for engineering services for the wastewater study. This is a requirement of the new EFC funding packages. I will assist you with this and prepare a draft RFQ for review by Young Sommer. You will need to target having the process complete by your May 8 meeting; if not, you may need a Special Meeting in May to meet the EFC deadline of May 31 and not risk losing the grant that has been awarded.

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

William Schryver will be meeting with Supervisor Hinkley to discuss setting up a crisis team and reported he will be scheduling a two -hour AED/CPR training for employees.

Three residents arrived at 6:07 pm.

Written monthly water and sewer reports were submitted to the Town Board. Christopher Mattice reported the new Roxbury/Grand Gorge PW3 and springs are scheduled to go online April 16-17. Kobi Anfimovas reported an air dryer was replaced at Denver Sewer and a pump was rebuilt and serviced at Roxbury Sewer.

Per a letter received from Lee Buchar, the Highway Dept. will repair the potholes in the Civic Center parking lot and put back the concrete parking barriers that were displaced by plowing this winter.

Highway Supt. Sprague also reported: 1) crews are on summer hours working 4-10 hour days; 2) crews have been shimming and cleaning roads; 3) all are happy with new radios and 4) requested selling the old radios, old generator and old water truck at auction. The Town Board had no objection to the sale of these items at auction.

The Assessor submitted a written report for the Town Board and Assessor Clerk, Stephanie Seminara stated nine new residents, for a total of 30, are now eligible for the Sr. Exemption due to Town Board adoption of new income levels. She also discussed concerns with Part K in the NYS budget which specifically addresses and re-defines the definition of income as it pertains to this exemption. The definition of income effectively changes the Sr. Exemption from providing assistance to *low-income seniors* to an exemption for *seniors*. If passed as written, the new definition of income might easily triple the number of individuals who might qualify shifting the tax burden to other property owners. It is felt this is also an infringement on Municipal Home rule because the local tax-levying bodies did not vote for this change. The NYS Assessor's Association is not in favor of the new law and has written a letter of opposition to State legislators and the Town Assessor's Office has done likewise. The Assessor's Office requested the Town Board also send a letter of opposition to the Law.

A property plan has been received for a proposed Verizon cell tower to be placed on Denver Water tank property. The Town Board and Attorney will review.

One proposal was received for the Comprehensive Plan update and the Assessor Clerk also sent information to grant writer Margaret Ellsworth for up to \$25,000 in funds available through NYS Ag & Markets.

Letters were received from Robin Factor and Doug McLaurine in opposition of a proposed Local Law that would allow ATV/UTV riding on Town roads, as her research shows it is very dangerous, and requested the Town Board not adopt the Law. Michael Martin expressed concerns with enforcement issues. William Schryver stated the northern part of the State does permits which generate a lot of income.

Robin Factor questioned why Zoom meeting info was not posted and would like to see Zoom availability continue. Supervisor Hinkley stated he will post the information in a more-timely fashion in the future.

On motion of Deanna Osborn second by Michael Hynes the following department reports were approved:

- \*Town Clerk monthly report for March 2023 in the amount of \$892.25 (Town Clerk \$362.25 and Building Permits \$530.00)
- \*Assessor's monthly report for March 2023
- \*Water District monthly report for March 2023 reflecting the following receipts: Denver \$252.78; Grand Gorge \$391.14 and Roxbury \$503.36
- \*Justice Court monthly report for February 2023 in the amount of \$2,867.00
- \*Building Inspector's monthly report for February & March 2023
- \*Tax Collector monthly report for March 2023

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

NAYS-0

No reports were received from the Supervisor, Dog Control Officer or Parks Dept.

RESOLUTION #19 – APPOINT WATER CLERK

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

“RESOLVED, the Town Board appoints Carol Shultis as Grand Gorge/Roxbury Water Clerk retroactive to March 30, 2023 for a term 3/30/23-12/31/23 at the current salary rate approved in the 2023 Town Budget and benefits as eligible in the Employee Handbook.”

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

NAYS-0

On motion of Michael Hynes second by Kenneth Davie the Town Board hired Skye Lewis as School Crossing Guard retroactive to March 31, 2023 at a salary of \$25/hr and benefits as eligible in the Employee Handbook.

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

NAYS-0

No action was taken on hiring a Fire Inspector, Highway contract matters regarding the buy-out and dues or building issues/fee schedule changes.

RESOLUTION #20-RESOLUTION ADOPTING LOCAL LAW TO AUTHORIZE A PARTIAL REAL PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS

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

“WHEREAS, New York State Real Property Tax Law Section 466-a authorizes a partial exemption from real property taxes on qualifying residential real property for volunteer firefighters and volunteer ambulance workers, as defined in Real Property Tax Law Section 466-a;

WHEREAS, Pursuant to Section 466-a of the Real Property Tax Law, the Town of Roxbury is authorized to adopt a local law establishing a partial exemption from the Town portion of real property taxes for volunteer firefighters and volunteer ambulance workers who own qualified residential real property within the Town of Roxbury;

WHEREAS, it is the desire of the Town Board of the Town of Roxbury to provide for such exemption on Town of Roxbury properties to volunteer firefighters and ambulance workers for their valued service to our community;

WHEREAS, the proposed local law would provide that qualified property owners who are enrolled members of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service may apply to the Town Assessor for a real property tax exemption of ten percent (10%) of the assessed value of such qualified property;

WHEREAS, the Town’s Attorney has proposed a local law providing that qualified property owners who are enrolled members of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service may apply to the Town Assessor for a real property tax exemption of ten percent (10%) of the assessed value of such qualified property;

WHEREAS, the Town Board has reviewed and modified the proposed law establishing the position; and

WHEREAS, the Town Board adopted a resolution on March 20, 2023, scheduling a public hearing on the proposed Law for April 10, 2023; and

WHEREAS, the public hearing on the Proposed Local Law No. 1 of 2023 was held on April 10, 2023, 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 Town Clerk’s office prior to the hearing and during the public hearing process; and

NOW, THEREFORE, BE IT RESOLVED that Local Law No. 1 of 2023, entitled “a Local Law to Authorize a Partial Real Property Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers” is hereby adopted and the Town Clerk and Town Attorney are 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 – 5 Hinkley, Davie, Hynes, Osborn, Raeder

NAYS-0

Services provided by Information Systems Division pertaining to the new server system will be billed on a per diem basis and not by an annual Agreement.

Proposals for updating the Town’s Comprehensive Plan were due by March 30, 2023. Only one proposal was received from Community Planning & Environmental Associates (Nan Stolzenburg) in the amount of \$22,840. The proposal was discussed as well as options that would help decrease the cost to fit the \$20,000 budget as outlined in the Request for Proposals. A grant in the amount of \$5,000 has been awarded from the O’Connor Foundation and other grant applications will be submitted to cover remaining costs, therefore, ARPA Funds will not be obligated at this time.

RESOLUTION #21-COMPREHENSIVE PLAN UPDATE PROPOSAL

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

“RESOLVED, the Town Board accepts the proposal of Community Planning & Environmental Associates for services to update the Town’s Comprehensive Plan up to a budgeted amount of \$20,000, subject to negotiation as needed, and dependent on other grant funds that may be applied for and awarded.”

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

NAYS-0

The proposed local law for ATV/UTV usage of Town roads was tabled until liability issues are looked into further.

Discussion took place on the Grand Gorge Water account of Teare Korbul whereby it was decided at the February 2023 meeting no credits would be made. Further review was made of the account.

On motion of Michael Hynes second by Kenneth Davie the Town Board approved the Water Clerk to allow further changes to Grand Gorge Water Account #363 Korbul to be credited for high usages for the readings of March – July 2022 leaving a balance due of \$88.57 as of 2/15/23.

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

NAYS-0

Margaret Ellsworth arrived at 6:38 pm.

On motion of Deanna Osborn second by Edward Raeder the Town Board approved not-for-profit agreements for the Roxbury Cemetery Association, Yellow Church Cemetery and Roxbury Sr. Club.

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

NAYS-0

A 30-day advance notice was received from the Tunnel NY LLC stating they would be applying for a liquor license at 72 Park Street. The Town tabled action due to the notice reflecting it was sent Certified Return Receipt Requested but was only sent Certified Mail. The Town Clerk was directed to notify them of this.

On motion of Kenneth Davie second by Michael Hynes the Town Board authorized the Town Supervisor to move forward with soliciting a Request for Qualifications (RFQ) as part of a NYSEFC

grant award for the Denver Wastewater Treatment Plant Study Project.  
AYES-5 Davie, Hynes, Raeder, Osborn, Hinkley  
NAYS-0

On motion of Kenneth Davie second by Michael Hynes the Town Board approved payment for a time sheet submitted by the Town Clerk in the amount of \$1,076.80 for time associated with making adjustments to all Roxbury/Grand Gorge Water accounts and to fill in as Water Clerk from 2/17/23-3/31/23.  
AYES-5 Davie, Hynes, Raeder, Osborn, Hinkley  
NAYS-0

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

Discussion took place on an estimate to repair the Constable vehicle due to a deer hit in the amount of \$3,829.52. The Town Board decided it should go through insurance.

Margaret Ellsworth reported the following:

Comprehensive Plan - The company is the same one that did the current Plan. A grant application will be submitted to NYS Ag & Markets for funding, the Town has already been awarded \$5,000 from the O'Connor Foundation and other grants will be looked into for covering costs. It was also discussed, public participation is needed and will be done by Zoom, demographics have changed, stressed the importance of updating the Plan on a regular basis and a steering committee is needed whereby Ellsworth will put together a list of possible people to serve.

State Housing Compact

Discussed the project and eligibility and distributed an information packet to the Town Board.

Climate Smart Community Programs and Complete Streets Program

To be looked into

Roxbury Holiday Lighting

Requested \$2,500 for new holiday lighting for the hamlet of Roxbury to replace the current wreaths. The MARK Project, Inc. is now doing the decorations.

On motion of Kenneth Davie second by Deanna Osborn the Town Board approved giving the MARK Project, Inc. \$2,500 for new holiday lighting and approved a Not-For-Profit Agreement for same.  
AYES-5 Davie, Osborn, Raeder, Hynes, Hinkley  
NAYS-0

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

General #114-152	\$30,709.24	Denver Water #27-27	\$784.21
Highway #87-111	\$69,129.35	Roxbury Sewer #20-24	\$14,605.30
Roxbury Water #31-37	\$2,103.94	Denver Sewer #31-38	\$7,872.28
Grand Gorge Water #32-35	\$1,851.32	Special Lights #4	\$1,523.74

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

The current ARPA Fund balance is \$98,340.36.

On motion of Kenneth Davie second by Michael Hynes the meeting adjourned at 6:55 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