

DRAFT MINUTES

February 12, 2024

A Public Hearing and regular monthly meeting of the Town Board was held February 12, 2024 at 6:00 pm at the Town Hall and via Zoom. Present were: Supervisor Allen Hinkley, Councilmen Michael Hynes and Deanna Osborn, Highway Supt. William Sprague, Assessor Clerk Stephanie Seminara, Parks Director Denise Johnston, Water Operator Christopher Mattice, Sewer Operator Eli Martin and 12 people in the audience. Present on Zoom: Councilman Kenneth Davie due to illness (must abstain from voting), Attorney Kristin Pratt and 8 others.

The Public Hearing was called to order at 6:00 pm to hear comments on a proposed Local Law to Increase Income Limits for Partial Tax Exemption for Persons 65 Years of Age or Older. Assessor Clerk, Stephanie Seminara, explained the law and the new definition of income from the State (FAGI). The law will also capture more eligible owners with the new income limits. Roxbury Central School is also expected to adopt the new income limits.

Jane Williams questioned how the Town determined what income levels to use and how to determine better in the future. Seminara stated the Assessor's Office did not feel comfortable with using the State amounts so HEAP incomes were used.

Michael Martin questioned if all Towns were doing. Seminara said it would help more people qualify. Renate Rennie questioned the FAGI rates and what determines whether qualified or not. Seminara responded she plugs certain information in a calculated form from tax returns/income submitted.

No comments were heard in favor of or against the proposed Local Law.

Two people arrived at 6:11 pm.

The Public Hearing closed at 6:12 pm.

The regular meeting was called to order at 6:13 pm with the Pledge of Allegiance.

Supervisor Hinkley requested a moment of silence in memory of Councilman Edward Raeder who passed away. Mr. Raeder served 28 years of dedicated service to the Town and will be missed. Condolences have been extended to his family.

The Town Clerk reported Local Law #3 of the Year 2023, adopted December 27, 2023, A Local Law To Authorize a Partial Real Property Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers, has been changed and refiled with the State to correct it as Local Law #1 of the year 2024 due to receiving notice from the State that it was not received until after January 1, 2024.

On motion of Deanna Osborn second by Michael Hynes the Town Board approved the Minutes of the January 2, 2024 Organizational/Regular meeting as amended for Local Law #1 of the year 2024.

AYES-3 Osborn, Hynes, Hinkley

NAYS-0

ABSTAIN- 1 Davie

VACANT-1

John Wolham, NYS Real Property Tax Service representative, was present to discuss the re-assessment process the Town is undertaking as per the March 1, 2024 taxable status date. He commended the Town Board and Assessor's Office for doing this every 5 years as it keeps assessments level with trends at the time. He discussed the work done to date and the timeline of notices to be sent to owners. A short question and answer period followed.

Michael Harrington, Engineer arrived at 6:25 pm.

Lorcan and Eugenie Otway were present to discuss the purchase of the Hitching Post restaurant in Grand Gorge that they plan to turn into a Catskill Folklore Museum that will offer employment and

tourism for the area. A more formal plan was distributed to the Town Board.

Mary Jean Scudder, President of the Roxbury Library Association, submitted a letter to the Town Board requesting additional funds in the amount of \$12,500 for the Library to act as in-kind funding for Main Street Program work.

A letter was received from Michael Martin requesting the Grand Gorge Civic Center be renamed in memory of Councilman Edward Raeder for having overseen the building for several years.

Michael Harrington submitted a written report current projects and discussed:

Roxbury and Grand Gorge Water Project

*Birdsall (Ct. 9 -- Vega Mtn. Rd. water main) has an executed contract and has provided submittals on nearly all construction materials. He is away until the beginning of March, and we expect to schedule a pre-construction meeting once he is back.

* Work is still pending at PW-2. We are awaiting a schedule from Evergreen.

* Change Order No. 1 for Ct. 4 (Blizzard) has been prepared for approval tonight. This includes approximately 20 work items that have accrued since the onset of the contract.

* \$63,000 of Water Infrastructure Improvements Act (WIIA) grant is still available (this was unused previously due to overlapping grants). If accessed, this will result in a \$105,000 overall project cost increase. The budget increase is advisable to complete the project.

* The overall project budget increase (to access the additional grant funds) and the revised apportionment of costs between the districts needs to be discussed with Bond Counsel Randy Mayer. Allen will be making initial contact with Randy this week.

Denver Wastewater Study

* An enhanced WIIA grant opportunity for wastewater has just been released for rural communities. If eligible, communities can receive 50% grant funding (this had previously been capped at 25%). The submission deadline is June 14, 2024; as a result, a lot needs to happen in a short time.

* The application requires the Sewer District to authorize additional costs and thereafter for the Town to adopt a Bond Resolution. Prior to each of these actions, SEQR needs to be completed. Bond Counsel Randy Mayer will be needed on this matter.

* Note that the application really consists of 2 applications: the EFC Clean Water State Revolving Fund (CWSRF) application and the WIIA grant application.

* You have a SEQR Lead Agency Resolution for consideration tonight. This will start the SEQR process and give us a chance to meet the funding deadline with all required documents.

Roxbury Force Main Easement Access Maintenance

*We have provided an engineering proposal for the engineering work needed to obtain construction bids for this work.

*The work will be funded by the 2024 Roxbury Sewer budget, as negotiated with DE DEP by Kevin Young and Henry Lamont.

An updated Roxbury/Grand Gorge Water Project cost summary was distributed to the Town Board.

Water/Sewer Operator, Chris Mattice, reported the EPA requires a second mailing to owners for information about their service line piping. He requested putting the info on the Town's website. The report is due by October 2024.

Denver Sewer Operator, Eli Martin, reported the compressor has been installed and thanked the highway dept. for their help in unloading it and for keeping the plant plowed out.

Michael Harrington added the mowing for the Roxbury Sewer force main access needs to be re-bid this year.

Highway Supt., William Sprague reported he still has two trucks down for repairs and he expects to get them back soon.

Parks Director, Denise Johnston, submitted a written report as follows:

- *Barn event scheduling is ongoing. Schedule is attached.
- *The RHPC did not meet in January as we did not have a quorum available.
- *Fireworks are scheduled for September 1st, 2024 with a rain date of September 2nd.
- *I am trying to get a few new volunteers for the Easter Egg Hunt. Looking at doing this March 23rd
- *I had a meeting with RCS Superintendent and Building Trades teacher. She is working with the school attorney to come up with a proposal for student volunteer work at the park. We talked about the liability concerns along with some goals for the relationship. Once the school attorney has a proposal, we will then meet with town personnel to discuss if this will work out.

Chris Ortiz, a local artist, has requested displaying some of his neon art pieces in Kirkside Park. Supervisor Hinkley said he would have to work around the rental schedule. He will meet with the Parks Director to discuss further.

Margaret Ellsworth of the MARK Project, Inc. reported the following:

- *The CDBG Notice of Intent needs to be published and discussed the process. 3-5 people will need to be appointed to serve on the committee for reviewing applications.
- *Surveys will be sent to gather more information from residents for the Comprehensive Plan
- *Main Street grant – some work has been completed and all work needs to be completed by December 31, 2024
- *Requested the Town Board to obtain a Pro-Housing Designation for priority points for other grant agencies. She discussed the program, what is needed and requested the Town Supervisor send a Notice of Intent for same.

RESOLUTION #9 – LETTER OF INTENT PRO-HOUSING COMMUNITY DESIGNATION

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

“WHEREAS, the Town of Roxbury Town Board desires to obtain a Pro-Housing Community Designation that will aide in future grant applications;

BE IT RESOLVED, the Town of Roxbury Town Board authorizes the Town Supervisor to submit a Letter of Intent to Housing & Community Renewal (HCR) as notice that the Town of Roxbury will be applying for a Pro-Housing Community Designation.”

AYES-3 Osborn, Hynes, Hinkley

NAYS-0

ABSTAIN – 1 Davie

VACANT-1

The Assessor submitted a written monthly report to the Town Board:

*Revaluation Update: coordination of processing confirmed with Delaware County Real Property and ORPTS Regional Office; preliminary values and impact notice processing continued and were finalized last week; ORPTS Regional Director, John Wolham to present ‘top line ‘ findings at the February meeting and will provide samples of the impact notice and disclosure letter; impact notices with accompanying disclosure letter will be mailed in coming days; created the Open House calendar with dates starting later this month and will continue through April to be followed by additional open hours in May leading to Grievance Day May 30th 4:00 pm – 8:00 pm.

*Exemption Processing: Agricultural, firefighter, forestry, non-profit and senior exemption processing; Firefighter follow up with individual members; Roxbury School passed the new volunteer firefighter exemption; will attend upcoming Roxbury School public hearing and Board meeting to field any questions on the new proposed Sr. Exemption income limit and urge passage by the School Board

*Senior Exemption: the current income tables max out at \$28,200 and the new limit proposed will bring it to a maximum income of \$36,499; passage of the new income table is important to all Town of

Roxbury seniors; an outreach mailing to all Enhanced STAR recipients resulted in inquiries from about 100+/- property owners; the exemption information was also advertised in the Town Hall front lobby and was added to the Town's website home page; of the 20 new qualifying seniors, nearly half qualify due to the new definition of income.

Hiram Davis, Code Enforcement Officer, arrived.

Supervisor Hinkley stated Michael Martin would be taking over the Civic Center rentals. There were no objections voiced from other Town Board members. No rate of pay was given. Martin's contact #607-464-1326.

Supervisor Hinkley re-appointed Kenneth Davie as Deputy Supervisor for the term 2/12/24-12/31/24. Re-appointment was necessary because Davie did not take the Oath of Office and Undertaking within 30 days of the first appointment in January.

Letters received by the Town Board:

- *MTC – regarding Franchise Agreement Renewal
- *Audrey Thorington – requests the Town Board consider future events to be held at the Civic Center in support of Michael Martin's efforts
- *Nathan Potter – submitting name for the vacant Councilman seat
- *Michael Martin – (2) submitting name for vacant Councilman seat
- *Colin Barnhart – concerns with property maintenance issues on Dugan Hill Rd.
- *Renee Barchitta – (4) concerns with cannabis and drug use
- *Roxbury Library – request for additional funding from the Town Board
- *Liquor License 30 day notifications for Geri Roxbury, LLC (Roxbury Motel Properties)
- *Joyce Devivo - Short Term Rental owners should pay for fire inspections
- *Joseph & Diane LaRuffa - Short Term Rental owners should pay for fire inspections
- *Roger & Renee Barchitta - Short Term Rental owners should pay for fire inspections
- *Teri & Larry Borst - Short Term Rental owners should pay for fire inspections and be taxed as a business
- *Jane Magenheim and Robert Young - Short Term Rental owners should pay for fire inspections
- *Danyelle Gockel – request to use Civic Center for PreK – 2nd grade for basketball programs for local kids and request use of Town insurance

Supervisor Hinkley stated appointment to the vacant Councilman seat would be for a term through 12/31/24. The remaining three- year term would be by election in November 2024 and interested persons should contact Delaware County Board of Elections for petitions and further information.

Supervisor Hinkley will check into the use of Town insurance for Mrs. Gockel's request and will respond to her.

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

- *Town Clerk monthly report for January 2024 in the amount of \$3,030.50 (Town Clerk \$201.50 and Building Permits \$2,810.00)
- *Supervisor's monthly report for December 2023
- *Assessor's monthly report for January 2024
- *Water District monthly report for January 2024 reflecting receipts in the following amounts: Denver \$3,108.40, Grand Gorge \$3,661.96 and Roxbury \$3,919.16
- *Justice Court monthly report for December 2023 in the amount of \$2,561.00
- *Parks Dept. monthly report for February 2024
- *Code Enforcement Officer monthly report for January 2024

AYES – 3 Osborn, Hynes, Hinkley

NAYS-0
ABSTAIN – 1 Davie
VACANT -1

On motion of Deanna Osborn second by Michael Hynes the Town Board accepted the resignation of Joann Bartley as Justice Court Clerk effective January 16, 2024.

AYES – 3 Osborn, Hynes, Hinkley
NAYS-0
ABSTAIN – 1 Davie
VACANT -1

No action was taken on appointing a new Justice Court Clerk. Supervisor Hinkley stated Sandra Rockwell, previous Court Clerk, is filling in until a new Clerk is appointed. When questioned about a motion rate of pay for Rockwell, Supervisor Hinkley stated he will need to speak with Mrs. Rockwell about the pay. No motion made.

On motion of Michael Hynes second by Deanna Osborn the Town Board appointed Tricia Knoetgen as Roxbury/Grand Gorge Water Clerk for a term 2/16/24-12/31/24 at a rate of pay per the Town Budget (\$249.65/month) and benefits as eligible in the Employee Handbook.

AYES – 3 Hynes, Osborn, Hinkley
NAYS-0
ABSTAIN – 1 Davie
VACANT -1

On motion of Michael Hynes second by Deanna Osborn the Town Board approved the Tax Collector's appointment of Carolynn Faraci as Deputy Tax Collector for a term 2/12/24 – 12/31/24.

AYES – 3 Hynes, Osborn, Hinkley
NAYS-0
ABSTAIN – 1 Davie
VACANT -1

On motion of Michael Hynes second by Deanna Osborn the Town Board approved Supervisor Allen Hinkley as the Town's representative to the Catskill Revitalization Corp. (CRC)

AYES – 3 Hynes, Osborn, Hinkley
NAYS-0
ABSTAIN – 1 Davie
VACANT -1

Diane Munro and Michael Mathis did not take their Oath of Office and Undertaking within the 30 day period after appointment so must be reappointed to their respective positions.

On motion of Deanna Osborn second by Michael Hynes, the Town Board re-appointed Diane Munro as Planning Board Member with a term 2/12/24-12/31/28.

AYES – 3 Osborn, Hynes, Hinkley
NAYS-0
ABSTAIN– 1 Davie
VACANT -1

On motion of Michael Hynes second by Deanna Osborn the Town Board re-appointed Michael Mathis to the Roxbury Preservation Commission for a term 2/12/24-12/31/26.

AYES – 3 Hynes, Osborn, Hinkley
NAYS-0
ABSTAIN– 1 Davie
VACANT -1

On motion of Deanna Osborn second by Michael Hynes the Town Board will use Young & Sommer LLC for legal services for the Town for the year 2024.

AYES – 3 Osborn, Hynes, Hinkley

NAYS-0

ABSTAIN – 1 Davie

VACANT -1

RESOLUTION #10 – BLIZZARD CHANGE ORDER #1

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

“WHEREAS, the Town Board advertised bids for the Roxbury/Grand Gorge Water Wellfield & Spring Improvements Contract No. 4-Electrical; and

WHEREAS, said bids for the Roxbury/Grand Gorge Wellfield and Spring Improvements Contract No. 4-Electrical were opened on November 19, 2020 at 3:00 pm; and

WHEREAS, said bid the Roxbury/Grand Gorge Wellfield and Spring Improvements Contract No. 4 – Electrical was awarded on December 14, 2020 to low bidder Blizzard Electric at a bid price of \$400,000; and

WHEREAS, Change Order #1 has been submitted as an increase of \$23,500 due to various changes to electrical and controls system work to either improve the finished work product or to address items not shown in the bid documents;

NOW THEREFORE, BE IT RESOLVED, the Town Board approves the Blizzard Electric Change Order #1 for Roxbury/Grand Gorge Wellfield and Spring Improvements Contract 4-Electrical for an increase of \$23,500 making the total Contract amount \$423,500; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to execute Change Order #1.”

AYES – 3 Hynes, Osborn, Hinkley

NAYS-0

ABSTAIN – 1 Davie

VACANT -1

RESOLUTION #11 – DENVER SEWER DISTRICT WASTEWATER SYSTEM IMPROVEMENTS PROJECT - SEQR LEAD AGENCY

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

“WHEREAS, the Town Board of the Town of Roxbury is undertaking a project called the Denver Sewer District Wastewater System Improvements Project (hereinafter referred to as ‘the Project’) that will include replacement and/or rehabilitation of wastewater treatment plant components at the existing site. The work at the wastewater treatment plant will also include miscellaneous site improvements needed to improve the efficiency of facility operations. The project scope also includes spot repairs within the wastewater collection system to reduce infiltration and inflow, and

WHEREAS, the Town is applying to the New York State Environmental Facilities Corporation Clean Water State Revolving Fund (CWSRF) for project funding, and may apply to other funding agencies, and

WHEREAS, the New York City Department of Environmental Protection (NYCDEP) has an obligation to fund the operation and maintenance of certain facilities at the Denver Sewer District wastewater treatment plant, and this obligation will be an important part of the overall project funding.

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

1. The Town Board of the Town of Roxbury intends to proceed with the Wastewater System Improvements Project to make improvements to the Denver Sewer District wastewater collection and treatment system infrastructure; and
2. Pursuant to funding program requirements, the Town Board hereby determines that the project is a Type I action pursuant to the State Environmental Quality Review Act

- (SEQRA), Article 8 of the New York Environmental Conservation law and its implementing regulations, 6 NYCRR Part 617; and
3. The Town Board hereby declares itself SEQRA Lead Agency; and
 4. The Town Board hereby instructs the Supervisor, with the assistance of the consulting engineer, to prepare a full Environmental Assessment Form and notify involved agencies of the Town Board's intent to serve as SEQRA Lead Agency and to further initiate the coordinated review of the Project under the SEQRA regulations. and documents; and
 5. The Town Board hereby authorizes the Supervisor to sign all environmental review documents and all funding application documents for the Project on its behalf."

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

AYES – 3 Osborn, Hynes, Hinkley

NAYS – 0

ABSTAIN – 1 Davie

VACANT – 1

RESOLUTION #12 – LAMOINT ENGINEER PROPOSAL ROXBURY SEWER FORCE MAIN ACCESS

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

“WHEREAS, maintenance work is needed along the easement access of the Roxbury Sewer force Main to Grand Gorge; and

WHEREAS, a proposal has been received from Lamont Engineers, PC for engineering services for the initial phase of said plan of work for an estimated amount of Basic Services \$3,500, Additional Services \$2,000, Direct Expenses \$200 and Subcontracted Services at cost plus 10%; and

NOW, THEREFORE BE IT FURTHER RESOLVED, the Town Board accepts the proposal offered by Lamont Engineers, PC; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Town Supervisor to execute the Agreement.”

AYES – 3 Hynes, Osborn, Hinkley

NAYS – 0

ABSTAIN – 1 Davie

VACANT – 1

Supervisor Hinkley added the costs for the Roxbury Sewer Force Main Access engineering will be paid by NYCDEP.

On motion of Deanna Osborn second by Michael Hynes the Town Board approved advertising bids for Highway Diesel and Winter Blend to be opened March 8 at 2:00 pm at the Town Hall.

AYES – 3 Osborn, Hynes, Hinkley

NAYS – 0

ABSTAIN – 1 Davie

VACANT – 1

On motion of Michael Hynes second by Deanna Osborn the Town Board approved advertising bids for Highway Material Hauling to be opened March 8, 2024 at 2:15 pm at the Town Hall

AYES – 3 Hynes, Osborn, Hinkley

NAYS – 0

ABSTAIN – 1 Davie

VACANT – 1

RESOLUTION #13 – LIQUOR LICENSE GIRI ROXBURY, LLC

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

“WHEREAS, the Town Board has received a 30-day advance notice from Giri Roxbury, LLC

who will be submitting liquor license applications to the NYS Liquor Authority for the following locations: 2258 County Hwy 41 & Bridge St., 2289 County Hwy 41 and 48 County Hwy 41; and

WHEREAS, the Town Board has reviewed said notices;

NOW, THEREFORE BE IT RESOLVED, the Town Board voiced no objections to Giri Roxbury, LLC submitting for Liquor Licenses for the above mentioned locations; and

BE IT FURTHER RESOLVED, the Town Board waives the 30 day hold on processing the licenses and further consents to the licenses being processed and issued to Giri Roxbury, LLC by the NYS Liquor Authority.”

AYES – 3 Osborn, Hynes, Hinkley

NAYS – 0

ABSTAIN – 1 Davie

VACANT – 1

RESOLUTION #14 – FINAL BUDGET TRANSFERS 2023

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

RESOLVED, the Town Board approves final Budget Transfers for the year 2023 as follows:

Fund		TO		FROM	
<i>General</i>					
\$	1,593	A1110.1	JUSTICE, PS	A1420.4	ATTORNEY, CE
\$	2,700	A1620.4	BUILDINGS, CE	A1620.1	BUILDINGS PS
\$	100	A1910.4	UNALLOCATED INS	A1620.2	BUILDINGS EQ
\$	1,482	A3120.1	POLICE & CONSTABLE, PS	A1620.2	BUILDINGS EQ
\$	1,324	A5132.4	GARAGE, CE	A1620.2	BUILDINGS EQ
\$	1,700	A5132.4	GARAGE, CE	A3620.4	SAFETY INSP, CE
\$	454	A7110.4	PARKS, CE	A8810.4	CEMETERIES, CE
\$	4,655	A9060.8	HEALTH INSURANCE	A8810.4	CEMETERIES, CE
\$	14,008				
<i>Highway</i>					
\$	4,746.00	DA5110.4	GENERAL REPAIRS, CE	DA5130.4	MACHINERY, CE
\$	2,526.00	DA9060.8	HEALTH INS.	DA5130.4	MACHINERY, CE
\$	7,272.00				
<i>Grand Gorge Water Dist.</i>					
\$	454.00	SW8320.4	SOURCE SUPPLY, CE	SW8340.4	TRANS/DIST CE
\$	4,271.00	SW8330.4	PURIFICATION, CE	SW8340.4	TRANS/DIST CE
\$	29.00	SW9030.8	SOCIAL SECURITY	SW8340.4	TRANS/DIST CE
\$	4,754.00				
<i>Denver Water District</i>					
\$	3.04	SW9030.8	SOCIAL SECURITY	SW8310.4	ADMINISTRATION, CE
<i>Roxbury Sewer District</i>					
\$	692.00	SS8130.4	TRANS/DIST, CE	SS8110.4	ADMIN. CE
<i>Denver Sewer District</i>					
\$	4,454.00	SS8110.4	ADMINISTRATION CE	SS8189.4	MISCELLANEOUS, CE
\$	947.00	SS8130.4	TRANS/DSIT, CE	FUND BALANCE	

\$	5,401.00				
<i>Roxbury Run Lighting</i>					
\$	883.00	SL518212.4	STREE LIGHTS, CE	FUND BALANCE	

AYES – 3 Hynes, Osborn, Hinkley

NAYS – 0

ABSTAIN– 1 Davie

VACANT – 1

No action was taken on appointing a new SWAC representative due to the passing of Edward Raeder.

No action was taken on changing the Town Board Committee appointments until such time as the Councilman seat is filled.

RESOLUTION #15 - TOWN OF ROXBURY RESOLUTION TO AFFIRMATIVELY FURTHER FAIR HOUSING THROUGHOUT THE TOWN OF ROXBURY

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

“WHEREAS, the Town of Roxbury supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law), the Housing and Community Development Act of 1974 and the New York State Human Rights Law; and

WHEREAS, the Town of Roxbury, through adoption of this resolution, hereby revokes all previous resolutions and policies adopted by the Town related to fair housing and replaces same by this Resolution and the accompanying Fair Housing Policy; and

WHEREAS, the Town of Roxbury is committed to affirmatively furthering fair housing; and

WHEREAS, it is the policy of the Town of Roxbury to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex, creed, age, national origin, familial status, marital or domestic partnership status, affectional or sexual orientation, gender identity or expression, military status, domestic violence status, mental or physical disability, perceived disability, and lawful income or source of lawful rent payment; and

WHEREAS, the Town of Roxbury objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, creed, age, national origin, familial status, marital or domestic partnership status, affectional or sexual orientation, gender identity or expression, military status, domestic violence status, mental or physical disability, perceived disability, and lawful income or source of lawful rent payment, as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law; and

WHEREAS, the Town of Roxbury has set a goal to reduce discrimination and complaints of discrimination in rentals, sales and financing of housing accommodations in the Town of Roxbury based on race, color, religion, ancestry, sex, creed, age, national origin, familial status, marital or domestic partnership status, affectional or sexual orientation, gender identity or expression, military status, domestic violence status, mental or physical disability, perceived disability, and lawful income or source of lawful rent payment, as prohibited by Title VIII of the Civil Rights Act of 1968; and

NOW THEREFORE BE IT RESOLVED that within available resources, the Town of Roxbury will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by providing all such persons with the information to assist with filing a complaint with the New York State Division of Human Rights and the U.S. Department of Housing and Urban Development, as appropriate; and

BE IT FURTHER RESOLVED that the Town Board hereby appoints the position of Town Supervisor to serve as the Town Fair Housing Officer and the Town Supervisor shall designate an individual to serve as Acting Fair Housing Officer during periods in which the Fair Housing Officer is unable to act; and

BE IT FURTHER RESOLVED that the Town of Roxbury hereby adopts the annexed

document entitled “Fair Housing Policy” which sets forth specific actions to be taken by the Town to affirmatively further fair housing; and

BE IT FURTHER RESOLVED that the Town of Roxbury will periodically review the Fair Housing Policy, at least annually and more often as necessary, to determine if amendments are required to ensure that the Town continues to affirmatively further fair housing; and

BE IT FURTHER RESOLVED that at future annual organizational meetings of the Town of Roxbury Town Board, the Town Board will include the Fair Housing Policy as an agenda item for discussion and if revision, as necessary; and

BE IT FURTHER RESOLVED that the Town of Roxbury shall, in addition to compliance with the policies set forth in the Fair Housing Policy, publicize and promote this resolution by: publishing in the official Town newspaper, posting on the official Town bulletin Board located in Town Hall and posting on the Town’s website, and through this publicity, the Town shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New York State Human Rights Law, and any local laws or ordinances.”

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

AYES-3 Hynes, Osborn, Hinkley

ABSTAIN-1 Davie

VACANT – 1

On motion of Deanna Osborn second by Michael Hynes the Town Board has placed Michael Martin in charge of the rentals at the Grand Gorge Civic Center due to the passing of Edward Raeder.

AYES – 3 Osborn, Hynes, Hinkley

NAYS – 0

ABSTAIN – 1 Davie

VACANT – 1

No rate of pay was given for Michael Martin to be in charge of the rentals of the Civic Center.

On motion of Deanna Osborn second by Michael Hynes the Town Board approved the contract with SkyShooter Displays by ZY Pyrotechnics LLC for fireworks in Kirkside Park to be held on September 1, 2024 at a cost of \$5,180.

AYES – 3 Osborn, Hynes, Hinkley

NAYS – 0

ABSTAIN– 1 Davie

VACANT – 1

On motion of Michael Hynes second by Deanna Osborn the Town Board approved the updated lease agreement with Brenda Condliffe for Town highway material storage at her County Hwy 41 property at a cost of \$1,200 per year with payment to be made at the Town Board meeting after receipt of the signed agreement and further authorizes the Town Supervisor to execute the lease on behalf of the Town.

AYES – 3 Hynes, Osborn, Hinkley

NAYS – 0

ABSTAIN – 1 Davie

VACANT – 1

On motion of Deanna Osborn second by Michael Hynes the Town Board authorized the Town Supervisor to execute the Contract for Emergency Services for Water/Sewer Repairs with Hubbell, Inc. having received the proper insurances from them.

AYES – 3 Osborn, Hynes, Hinkley

NAYS – 0

ABSTAIN – 1 Davie

VACANT – 1

On motion of Deanna Osborn second by Michael Hynes the Town Board authorized the Town Supervisor to execute the signed agreements received from the following not-for-profit agencies as budgeted in the 2024 Town Budget and to pay for same: Delaware County Historical Association \$500; Roxbury Sr. Club \$500; Roxbury Library Association \$20,000; Yellow Church Cemetery \$400 and Roxbury Cemetery Association \$11,350.

AYES – 3 Osborn, Hynes, Hinkley

NAYS – 0

ABSTAIN – 1 Davie

VACANT – 1

RESOLUTION #16- SCHEDULE PUBLIC HEARING MTC FRANCHISE RENEWAL APPLICATION

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

“WHEREAS, Heart of the Catskills Communications, Inc. d/b/a Margaretville Telephone Company (“MTC”) has submitted requested renewal of MTC’s current Franchise Agreement by and between MTC and the Town of Roxbury; and

WHEREAS, MTC has submitted a proposed renewal Franchise Agreement for the next fifteen-year period; and

WHEREAS, public comment is required as part of the renewal process;

NOW, THEREFORE BE IT RESOLVED, the Town Board will hold a Public Hearing on March 11, 2024 at 6:00 pm at the Town Hall, 56 Hillcrest Drive, Roxbury, NY to hear all comments regarding the proposed renewal MTC Franchise Agreement; and

BE IT FURTHER RESOLVED, copies of the proposed Franchise Agreement shall be available at the time of the hearing and shall be available prior to the hearing at the Town Clerk’s Office, 56 Hillcrest Drive, Roxbury, NY 12474 during regular business hours.

BE IT FURTHER RESOLVED, the Town Clerk is directed to advertise the notice of Public Hearing for two weeks in the Mountain Eagle, the official newspaper of the Town of Roxbury.”

AYES – 3 Hynes, Osborn, Hinkley

NAYS – 0

ABSTAIN – 1 Davie

VACANT – 1

Attorney, Kristin Pratt will contact MTC to discuss the Town’s requested changes to the proposed renewal agreement.

On motion of Michael Hynes second by Deanna Osborn the Town Board approved additional funding for Roxbury Library Association in the amount of \$12,500 to be used for needed repairs & renovations to the building and further authorizes the use of ARPA Funds.

AYES – 3 Hynes, Osborn, Hinkley

NAYS – 0

ABSTAIN – 1 Davie

VACANT – 1

No action was taken on allowing the neon art display in the Park.

Discussion took place on the current no charge building fees for not-for-profit agencies. The Attorney will look into the matter further. The Town Board was made aware that the new Code Enforcement Officer (CEO) is going by the Building Code and our Local Law regarding the building code whereby all open permit back unpaid fees will need to be paid prior to issuance of a Certificate of Compliance or Certificate of Occupancy. CEO, Hiram Davis also stated when items that would not normally require a building permit on their own is included in a scope of work for renovations, the total value of scope costs shall be applicable for building permit fees.

A list of employees not having taken the mandatory training yet for Harassment & Discrimination and

Violence Prevention was distributed to the Town Board.

RESOLUTION # 17 - RESOLUTION OF THE TOWN BOARD FOR THE TOWN OF ROXBURY INCREASING INCOME LIMITS FOR PARTIAL EXEMPTION FOR PERSONS 65 YEARS OF AGE OR OLDER

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

In the Matter of the Adoption of Local Law No. 2 of 2024 entitled “Local Law to Increase Income Limits for Partial Tax Exemption for Persons 65 Years of Age or Older

“WHEREAS, in accordance with the authority granted by Section 467 of the Real Property Tax Law of the State of New York allowing municipalities to adopt a Local Law that sets out income limits for partial tax exemptions for persons 65 years of age or older; and

WHEREAS the existing income ceiling for tax exemptions for persons 65 years of age or older in the Town of Roxbury is no longer effective in protecting the most vulnerable of this Town’s citizens; and

WHEREAS, the Town Board of the Town of Roxbury adopted a resolution on January 2, 2024, scheduling a public hearing on the proposed Local Law for February 12, 2024; and

WHEREAS the Town Board of the Town of Roxbury did hold a public hearing, pursuant to the New York Real Property Tax Law and the New York Municipal Home Rule Law, on February 12, 2024, at 6:00 p.m., to determine whether and to what extent such increases in income levels should be approved of; and

WHEREAS The Town Board of the Town of Roxbury has determined that a modification of such income levels and the exemptions attributable thereto, will not have a significant effect on the tax revenues of the Town of Roxbury; 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 to the hearing and during the public review process; and

NOW, THEREFORE, BE IT RESOLVED that all previous resolutions and local laws in regard to “TAX EXEMPTIONS FOR PERSONS 65 YEARS OF AGE AND OLDER” are hereby rescinded and the following be adopted for granting tax exemptions for persons 65 years of age and older in the Town of Roxbury.

BE IT FURTHER RESOLVED that, pursuant to the authority granted by Section 467 of the Real Property Tax Law the following income schedule shall be used to determine eligibility for a partial real property tax exemption in accordance with Local Law No. 2 of 2024:

Minimum Income	\$0.00	Maximum Income	\$28,100.00	50% Exemption
Minimum Income	\$28,100.01	Maximum Income	\$29,099.99	45% Exemption
Minimum Income	\$29,100.00	Maximum Income	\$30,099.99	40% Exemption
Minimum Income	\$30,100.00	Maximum Income	\$31,099.99	35% Exemption
Minimum Income	\$31,100.00	Maximum Income	\$31,999.99	30% Exemption
Minimum Income	\$32,000.00	Maximum Income	\$32,899.99	25% Exemption
Minimum Income	\$32,900.00	Maximum Income	\$33,799.99	20% Exemption
Minimum Income	\$33,800.00	Maximum Income	\$34,699.99	15% Exemption
Minimum Income	\$34,700.00	Maximum Income	\$35,599.99	10% Exemption
Minimum Income	\$35,600.00	Maximum Income	\$36,499.99	5% Exemption

BE IT FURTHER RESOLVED that all provisions of Section 467 of the Real Property Tax Law shall apply in the administration and interpretation of this resolution and such exemption shall not be granted unless the applicant qualifies thereunder.”

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

AYES – 3 Osborn, Hynes, Hinkley

NAYS – 0

ABSTAIN – 1 Davie
VACANT – 1

RESOLUTION #18-ENTER INTO EXECUTIVE SESSION

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

“RESOLVED, motion made and seconded for the Town Board to enter into Executive Session at 8:18 pm to discuss a contract matter.”

AYES – 3 Osborn, Hynes, Hinkley

NAYS – 0

ABSTAIN – 1 Davie

VACANT – 1

RESOLUTION #19– RESOLUTION TO EXIT EXECUTIVE SESSION

On motion of Michael Hynes 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 8:33 pm.”

AYES – 3 Hynes, Osborn, Hinkley

NAYS – 0

ABSTAIN – 1 Davie

VACANT – 1

Supervisor Hinkley stated a monthly payment for insurance would be paid to the Kratochvil’s. The Town Clerk requested a motion for same and the amount to be paid. Supervisor Hinkley will speak with the Town Attorney to see if a motion is required.

The Annual Financial Report for the year 2022 has been filed with the State.

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

General #16-73	\$100,720.88	Roxbury Sewer #3-8	\$7,822.37
Highway #9-44	\$126,080.52	Denver Sewer #2-14	\$22,003.17
Roxbury Water #2-14	\$5,540.94	Special Lights #2-3	\$6,088.25
Grand Gorge Water #1-13	\$6,202.89	Capital Projects:	
Denver Water #1-7	\$3,901.02	Denver Sewer Study #8	\$2,197.00
Roxbury Sewer #3-8	\$7,822.37		

AYES-5 Osborn, Hynes, Hinkley

NAYS-0

ABSTAIN – 1 Davie

VACANT-1

ARPA Fund – Total Received \$236,306.98 Current Balance \$64,521.23

On motion of Edward Raeder second by Deanna Osborn the meeting adjourned at 7:05 pm.

THIS IS A TRUE COPY

Diane Pickett, Town Clerk
Allen Hinkley, Supervisor
Kenneth Davie, Councilman
Michael Hynes, Councilman

Deanna Osborn, Councilwoman
Councilman VACANT