

DRAFT MINUTES

September 9, 2019

The regular meeting of the Town Board was held September 9, 2019 at 7:30 pm at the Town Hall. Present were: Supervisor Thomas S. Hynes, Councilmen Edward Raeder, Allen Hinkley, Carol Murray and Kenneth Davie, Dpty. Highway Supt. William Sprague, Assessor Robert Breglio, Bookkeeper/Parks Clerk Carolynn Faraci and 9 residents. Absent: Highway Supt. Neil German and Attorney Kevin Young.

The Minutes of the August 12, 2019 meeting were approved on motion of Carol Murray second by Allen Hinkley.

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

NAYS-0

Christina Zill of Transition Catskills and Steve Finch of MTC Cable were present to discuss the updated plans for a car charging station to be placed at the Town parking lot by Chappie's. A proposal has been received from PlugIn Stations, LLC for the apparatuses, a proposal is expected from Hinkley Electric to hookup and run the electric from the building, an application would need to be submitted to NYSEDA who does not give a rebate for a one port system so a two port system is proposed and MTC is graciously agreeing to pay for the first \$200 electric charge/year.

Mr. Finch also stated he would be retiring soon and introduced Mike Hawsey who would be taking his place in this area. The Town Board welcomed him.

Assessor Robert Breglio submitted a written report for the Town Board and also discussed the following:

- *Jonathan Follender tax settlement, which slightly reduces his assessment, and recommends accepting the settlement
- *Three new constructions have been found that do not have building permits and have been reported to the Building Inspector
- *Requested renewing his contract for another 6 years
- *Stated the County Real Property Tax Director, Mike Sabansky, is no longer there and the position has been advertised
- *RPS assessing program is down much of the time due to the County having an old system making it also susceptible to viruses

Parks Clerk Carolynn Faraci reported the following:

- *Awnings on the pavilion have been repaired but the company will be contacting the Town regarding an issue
- *Kirkside Park bridge repair costs will be \$2,500 instead of \$1,500
- *Roxbury Historic Preservation Commission has requested changing their quarterly meetings from the 3rd Saturdays to the 3rd Friday's beginning with the October meeting as the Saturday meetings usually had no quorum of members that could meet
- *Requested guidelines for who gets charged for using the pavilion. The Board agreed there is to be no charge for not for profit organizations such as Boy Scouts, Churches and the like
- *Regarding the community kitchen, Beaverdam Builders will be changing out the two doors on the old apartment to accommodate panic bars and to swing outward per the Building Inspector

Dpty. Highway Supt. William Sprague reported the following:

- *Oil & stone is coming to an end
- * The 2016 Ford truck is out for repairs to the transmission which has been estimated at \$7,200-\$7,800 and the dealer is claiming it is not under warranty because we had replaced the rotted out transmission pan ourselves. Discussion ensued and the Dpty. Highway Supt. was directed to get a letter from the dealership stating the repairs needed and the warranty issue so the Town Board can contact Ford regarding the matter
- *Hwy. Supt. Neil German apparently is not planning to work between 12/1/19 and 12/31/19 at which time he will be retiring. Sprague has requested hiring a man with winter coming. Supv. Hynes will speak with Supt. German regarding the matter

*The Dpty. Supt. was directed to contact the gentlemen who we had last conduct the Violence Prevention training to see if he could conduct the Sexual Harassment training that is required by October 9th

Michael Harrington of Lamont Engineers was not present but submitted a written report on the Water Projects:

Denver

*The Agreement, Notice to Proceed and Change Order #1 are ready for signing

Roxbury/GG

*A draft Hydrogeological Report for PW-3 is expected from GeoLogic in late September and will be reviewed by Attorney Young for any issues that may be sensitive to DRBC.

*Dept. of Health may want the new chlorine contact main to treat the output for all 3 wells operating simultaneously. This would result in a significant cost increase, as the contact main would need to double in volume. The engineers will look at controls-based alternatives that would limit the maximum flow delivered through the contact main which is currently planned to treat 400 gpm (576,000 gpd)

*A draft subdivision map has been prepared and sent to Attorney Young for review and input

*Appraiser Leonard Berdan has been working on the updated well field appraisal which is expected by mid-month

*Engineers will begin working on the Final Design of the Springs Filtration and Pumping Building using a topographic survey of the Roxbury Reservoir site

Attorney Young is absent tonight due to having to attend another Town's meeting, therefore, a request for Executive Session to discuss a personnel matter will be tabled until October.

The overhead door at the Transfer Station has been repaired.

Building Inspector Tomi Tompkins is out due to illness and the County CEO Dale Downin will be covering for him.

Executive Session for the Personnel matter has been tabled until the Town Attorney is present.

A letter has been received from the Delaware County Sheriff thanking and commending Constable Williamson for his assistance when needed.

A letter was received from NYSEG stating there has been a huge nationwide demand for LED streetlights and they continue to work with the manufacturer to obtain them as they will be upgrading lights in the hamlets of Denver, Grand Gorge and Roxbury.

A water main leak at the intersection of Ridge Road Spur and Ridge Rd. has been repaired. A pool of water still in that area is believed to be due to a drainage issue and will be looked into.

On motion of Allen Hinkley second by Kenneth Davie the Town Board approved the following departmental reports:

*Town Clerk monthly report for August 2019 in the amount of \$3,354.00 (Town Clerk \$1,249.00 and Building Permits \$2,105.00.

*Assessor monthly report for August 2019

*Building Inspector monthly report for August 2019 including a copy of the open building permit list

*Water District monthly report for August 2019 with receipts in the following amounts: Denver \$524.68; Grand Gorge \$222.78 and Roxbury \$1,089.33

*Justice Court monthly report for July 2019 in the amount of \$2,608.00

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

NAYS-0

There was no Supervisor's monthly report for July 2019.

No action was taken on filling the vacancy on the Planning Board.

No action taken on filling the vacancies on the Schoharie Watershed Advisory Committee.

RESOLUTION #82- RESOLUTION APPROVING FOLLENDER NEW YORK REAL PROPERTY ARTICLE 7 CONSENT ORDER AND JUDGMENT

On motion of Carol Murray second by Edward Raeder the following resolution was offered and adopted: “WHEREAS, in July of 2015 Petitioner Jonathan S. Follender (“Follender” or “Petitioner”) commenced a New York Real Property Tax Law Article 7 Petition (the “Petition”) against the Town of Roxbury (“Town”); and

WHEREAS, the Town Assessor Robert Breglio and the Town’s counsel worked to reach a resolution of the Petition consistent with the Town’s assessment policies and to reduce the Town’s expenditure of attorneys’ fees on litigation and the parties recently reached a resolution; and

NOW THEREFORE, BE IT RESOLVED, by order of the Town Board of the Town of Roxbury, at the recommendation of the Town Assessor, the Consent Order and Judgment attached hereto in which the Town agrees to reduce the 2015 assessment only on tax map parcel 91.-1-64.11 owned by the Petitioner from \$134,200 to \$105,000, without any agreement or representation as to the future assessment of this parcel in exchange for the Petitioner’s discontinuance of the Petition.”

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

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

NAYS-0

No action taken on the Kirkside Kitchen agreement.

RESOLUTION #83-RHPC MEETING DATE CHANGES

On motion of Kenneth Davie second by Allen Hinkley the following resolution was offered and adopted: “RESOLVED, the regular quarterly meetings of the Historic Preservation Commission have changed and, effective immediately, will now be held the third Fridays of January, April, July and October at 10:00 am at the Town Hall for their Regular Meeting.”

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

NAYS-0

RESOLUTION #84-RENEW ASSESSOR CONTRACT

On motion of Allen Hinkley second by Carol Murray the following resolution was offered and adopted: “WHEREAS, the contract with Sole Assessor, Robert Breglio, will expire 9/30/19; and

WHEREAS, the Town Board wishes to re-appoint Robert Breglio as Sole Assessor for another six year term; and

WHEREAS, all terms in the current contract shall remain the same except for the term of the contract and pay rates;

NOW, THEREFORE, BE IT RESOLVED, the Town Board renews the contract with Robert Breglio for Assessor services for a six year term beginning October 1, 2019 and ending September 30, 2025; and BE IT FURTHER RESOLVED, rates of pay for the length of the contract shall be as follows: for the remainder of year 2019 at \$39.00/hr; years 2020 & 2021 at \$40.00/hr; years 2022 & 2023 at \$41.00/hr and years 2024 & 2025 at \$42.00/hr.”

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

NAYS-0

RESOLUTION #85-ADVERTISE BIDS FOR FUEL OIL

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

“RESOLVED, the Town Board authorizes advertising for sealed bids for Fuel Oil for the 2019-2020 heating season; and

BE IT FURTHER RESOLVED, said bids must be received at the Town Hall before 2:00 pm on October 11, 2019 at which time they will be opened.”

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

NAYS-0

Notice was received that Old Mill Restaurants, LLC, The Old Mill, intends to apply for a Liquor License for 2318 County Hwy 41.

RESOLUTION #86-LIQUOR LICENSE OLD MILL RESTAURANTS, LLC

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

“RESOLVED, the Town Board does not oppose a Liquor License being issued to Old Mill Restaurants, LLC, The Old Mill, located at 2318 County Hwy 41; and

BE IT FURTHER RESOLVED, the Town Board waives it’s rights to a 30 day hold on processing of the license by the NYS Liquor Authority.”

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

NAYS-0

RESOLUTION #87-ELECTION INSPECTOR MILEAGE

On motion of Allen Hinkley second by Carol Murray the following resolution was offered and adopted:

“RESOLVED, the Town Board approves payment to Election Inspectors for attending Election Inspector Training at Board of Elections at a rate of \$.58/mile.”

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

NAYS-0

James Muller’s term on the Board of Assessment Review will expire 9/30/19 and he is not seeking re-appointment. No action was taken on filling the position.

Discussion took place on the car charging station.

RESOLUTION #88-CAR CHARGING STATION

On motion of Edward Raeder second by Allen Hinkley the following resolution was offered and adopted:

“WHEREAS, the Town Board wishes to install a two port car charging station by the MTC building in the Town’s parking lot; and

WHEREAS, the Town Board wishes to submit an application to NYSEDA under an energy efficiency program for a rebate up to \$8,000 to install a two port car charging station; and

WHEREAS, electric is proposed from the MTC building; and

WHEREAS, the Town Board has received a proposal from PlugIn Stations Online, LLC for the car charging equipment and network connection fees in the amount of \$7,115.00; and

WHEREAS, additional costs will be incurred by the Town for running the power line out of the building, excavator to dig the hole and set the concrete base and protective bollards;

NOW, THEREFORE BE IT RESOLVED, THE Town Board approves submission of an application to NYSEDA for the car charging station; and

FURTHER RESOLVED, the Town Board approves the proposal of PlugIn Stations Online, LLC in the amount of \$7,115.00.”

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

NAYS-0

Denver and Roxbury/Grand Gorge water project cost to date were distributed to the Town Board.

A Special meeting will be held Sept. 17, 2019 at 7:00 pm to get an update on the Local Flood Analysis projects and to discuss any other business that may come before the Town Board.

A Local Government Day will be held in Hunter on October 18, 2019.

RESOLUTION #89-RESOLUTION TO ENTER INTO EXECUTIVE SESSION

On motion of Allen Hinkley second by Kenneth Davie the following resolution was offered and adopted:

“RESOLVED, motion made and seconded for the Town Board, Attorney and Town Clerk to enter into Executive Session at 8:28 pm to discuss a property matter. Present were: Supervisor Thomas Hynes, Councilmen Edward Raeder, Allen Hinkley, Carol Murray and Kenneth Davie, Attorney Kevin Young and Town Clerk Diane Pickett.”

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

NAYS-0

RESOLUTION #90-RESOLUTION TO EXIT EXECUTIVE SESSION AND RETURN TO REGULAR MEETING

On motion of Allen Hinkley second by Kenneth Davie the following resolution was offered and adopted: “RESOLVED, motion made and seconded for the Town Board, Attorney and Town Clerk to exit Executive Session and return to the regular meeting at 8:39 pm.”

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

NAYS-0

It was stated that no action was taken in Executive Session.

RESOLUTION #91-ABSTRACT #9

On motion of Allen Hinkley second by Carol Murray the following resolution was offered and adopted: “RESOLVED, the bills were audited and ordered paid in the following amounts:

General #367-426	\$36,989.90	Denver Water #59-65	\$2,090.02
Highway #182-199	\$146,527.02	Roxbury Sewer #67-74	\$11,150.66
Roxbury Water #69-79	\$8,685.32	Denver Sewer #78-87	\$13,098.86
Grand Gorge Water #72-81	\$4,475.32	Special Lights #12	\$2,357.25

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

NAYS-0

On motion of Kenneth Davie second by Carol Murray the meeting adjourned at 8:41 pm.

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Diane Pickett, Town Clerk
 Thomas S. Hynes, Supervisor
 Edward Raeder, Councilman
 Allen Hinkley, Councilman
 Carol Murray, Councilwoman
 Kenneth Davie, Councilman

September 17, 2019

A Special Meeting of the Town Board was held September 17, 2019 at 7:00 pm at the Town Hall. Present were: Supervisor Thomas S. Hynes, Councilmen Edward Raeder, Allen Hinkley and Kenneth Davie, Dpty. Highway Supt. William Sprague and 1 resident. Absent: Councilwoman Carol Murray.

The meeting was called to get an update on the Local Flood Analysis projects and to discuss any other business that may come before the Town Board.

Mark Carabetta and Miguel Castellanos gave a power point presentation of updated recommendations after having re-visited the affected areas. Discussion took place on funding, work schedules and doing the work in stages. It was stated that residents can get tank anchoring funding from CWC by submitting an application and that can be done now. Comments on findings were also given from others who were present and included Phil Eskeli of NYCDEP, Ben Dates of Delaware County Soil & Water, John Mathiesen of CWC and Sue McIntyre and Jim Thomas of Delaware County DPW. Supv. Hynes stated the Town has been waiting 5 years for the bridge on County 41 to be replaced and it is also being recommended in the study to be replaced with a longer span to accommodate possible widening of the stream. However, Sue McIntyre stated her records only show the bridge is slated for repairs. A draft

report is expected in early October, another committee meeting is expected for late October and a Public Hearing is expected in November.

The Town Board and Engineer agreed the Public Hearing for residents comments on the draft report will be held November 19, 2019 at 7:00 pm at the Town Hall. Notices will also be sent to all affected property owners.

RESOLUTION #92-SCHEDULE 2020 TOWN BUDGET WORKSHOP

On motion of Allen Hinkley second by Kenneth Davie the following resolution was offered and adopted:

“RESOLVED, the Town Board will hold a Special Meeting on October 8, 2019 to hold a Budget Workshop on the 2020 Tentative Budget and to discuss any other business that may come before the Town Board.”

AYES-4 Hinkley, Davie, Raeder, Hynes

NAYS-0

ABSENT-1 Murray

A Tire Day will be held October 12, 2019, 8:00 am – 4:00 pm at the stone storage site by the highway garage. Conditions for acceptance: Town of Middletown or Roxbury residents only, Transfer Station Permit required, will take tires fitting up to 17 inch wheels, rims must be removed, limit 10 tires per household.

On motion of Kenneth Davie second by Edward Raeder the meeting adjourned at 8:25 pm.

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Diane Pickett, Town Clerk
Thomas S. Hynes, Supervisor
Edward Raeder, Councilman
Allen Hinkley, Councilman
Kenneth Davie, Councilman
Carol Murray, Councilwoman ABSENT