

DRAFT MINUTES

October 12, 2020

The regular meeting of the Town Board was held October 12, 2020 at 7:00 pm at the Town Hall. Present were: Supervisor Allen Hinkley, Councilmen Edward Raeder, Kenneth Davie, Carol Murray and Michael Hynes, Highway Supt. William Sprague, Parks Director Denise Moore and three residents. Present via Zoom: Margaret Ellsworth, MARK Project. ABSENT: Attorney Kevin Young.

The meeting was opened with the pledge of allegiance.

On motion of Edward Raeder second by Michael Hynes the Town Board approved the Minutes of the September 14, 2020 meeting.

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

NAYS-0

Michael Harrington was not present but provided a written update report on the Water Projects:

Denver

*Dept. of Health (DOH) has approved the change orders for Hubbell & Hinkley Assoc for the remaining work on the project. Materials are being ordered and actual work is expected as early as next week

*The long-term closing with EFC is still on schedule for December and Bond Counsel has been working to complete the necessary forms for the closing

*A drawdown request will be made later this week

Roxbury/Grand Gorge

*DOH has approved wellfield work. Final adjustments are being made to the bid documents that should be out next week. An opening is expected before Thanksgiving.

*Hubbell is ordering materials for the hydrant replacements and work should begin shortly

Denver and Roxbury/Grand Gorge Water Project updated costs were distributed to the Town Board.

On motion of Michael Hynes second by Kenneth Davie the Town Board accepted the Water Project report.

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

NAYS-0

Supervisor Hinkley stated a water leak had been detected at the property owned by Roxbury Rocks LLC. It has been repaired, however, upon digging up for the repair, it was found there was a shared water line with the property behind owned by Rosa Siltanen that actually had the leak. Therefore, the contractor has split the bill for each owner. Roxbury Rocks LLC will pay the contractor directly.

The Planning Board had a special meeting where it was decided to let NYSDEC be lead agency on the Hughes Project at Green-Del Sanitation.

Councilman Raeder reported the Civic Center building is in need of repairs with current issues involving putty around the windows in the front and back of the building. The matter will be looked into.

Highway Supt. William Sprague reported four trucks have been repaired, a used truck has been purchased at Auctions International for \$5,500, one of the Oshkosh's frames is cracked, salt barn is full and crews are getting things ready for winter.

Michael Martin stated the curb in front of his home on State Highway 30 in Grand Gorge is breaking up and getting worse. Supervisor Hinkley will contact NYSDOT to look into the matter.

Parks Director Denise Johnston reported the last of the events for the year have been held at the park so the restrooms will now be winterized.

A letter has been received from Dennis Slater requesting to hook up his house, located at 169 Hubbells Corner Rd., to the Grand Gorge Water District main. The main line already has a stub there for connection.

RESOLUTION #103-SLATER CONNECT TO GRAND GORGE WATER MAIN

On motion of Kenneth Davie second by Carol Murray the following resolution was offered and adopted: “WHEREAS, Dennis Slater has requested connection to the Grand Gorge Water main for his house located at 169 Hubbells Corner Rd., Tax Map #157.2-1-22; and WHEREAS, said property is outside of the Grand Gorge Water District boundary; and WHEREAS, said property has a stub for water connection on the main having been installed with the Grand Gorge Water Project of 2003; and WHEREAS, all installation costs shall be at the expense of the owner, except the District shall only supply the water meter and outside curb box; and WHEREAS, said installation shall be overseen by the District’s Water Operator; NOW, THEREFORE, BE IT RESOLVED, the Town Board approves the owner to connect the house to the Grand Gorge Water District at the owner’s expense; and BE IT FURTHER RESOLVED the owner and Town Supervisor must execute a Water Connection Agreement with the Town of Roxbury/Grand Gorge Water District before installation can begin; and BE IT FURTHER RESOLVED, said Water Connection Agreement shall be recorded at the Delaware County Clerk’s Office after execution by both parties.”
 AYES-5 Davie, Murray, Raeder, Hynes, Hinkley
 NAYS-0

On motion of Carol Murray second by Michael Hynes the Town Board approved the following department reports:

- *Town Clerk monthly report for September 2020 in the amount of \$3,642.24 (Town Clerk \$2,267.24 and Building Permits #1,375.00)
- *Supervisor’s monthly report for August 2020
- *Building Inspector’s monthly report for August & September 2020
- *Water District’s monthly report for September 2020 with receipts as follows: Denver \$523.16; Grand Gorge \$261.92 and Roxbury \$200.00
- *Justice Court monthly report for August 2020 in the amount of \$2,800.00

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

No monthly report for September 2020 was received from the Assessor.

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

Bids for fuel oil and winter blend were advertised and opened on October 9, 2020 at 2:00 pm at the Town Hall. A total of four bids were received and were as follows per gallon:

VENDOR	Fluctuating Price (Base price + Firm Differential=Total)	Fixed Price	Non-Collus. Cert
FUEL OIL			
Main Care	1.2268 + .1775= 1.4043	1.3915	Yes
Mirabito	1.2268 + .2500 =1.4768	1.6635	Yes
Bottini #1	1.2268 + .18 = 1.4068	1.699	Yes
Bottini #2	1.2268 + .1250 = 1.3518	1.449	Yes
WINTER BLEND			

Main Care	1.3157 + .1775 = 1.4932	1.4857	Yes
Mirabito	1.3157 + .2500 = 1.5657	1.7835	Yes
Bottini #1	1.31566 + .18 = 1.49566	1.899	Yes
Bottini #2	1.3155 + .1595 = 1.475	1.699	Yes

RESOLUTION #104-AWARD FUEL OIL BID

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

“RESOLVED, the Town Board awards the Fuel Oil bids as follows: Fuel Oil to Main Care at a fixed price of \$1.3915/gallon and Winter Blend to Main Care at a fixed price of \$1.4857/gallon; and FURTHER RESOLVED, said deliveries shall begin November 1, 2020.”

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

NAYS-0

RESOLUTION #105-PRE-APPROVAL VOUCHERS

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

“RESOLVED, the Town Board has audited the following Capital Project voucher and authorize payment when funds are received with said vouchers to be included on the next abstract after funds are received:

Project	Req #	Vendor	Amount
CDBG	13	MARK Project Inc.	\$27,698.80

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

NAYS-0

RESOLUTION #106-SPEED ZONE REQUEST

On motion of Edward Raeder second by Carol Murray the following resolution was offered and adopted:

“WHEREAS, the Town of Roxbury would like to request the New York State Dept. of Transportation, pursuant to Section 1622 of the Vehicle and Traffic Law, to establish a lower speed limit at which vehicles may proceed on County Highway 8, a County owned highway, between County Highway 36 and Howard Greene Rd., a distance of approximately .75 miles;

BE IT RESOLVED, that the Town Board of the Town of Roxbury requests that an appropriate speed zone, of 35 MPH or less, be established on County Highway 8 between County Hwy 36 and Howard Greene Rd., a distance of approximately .75 miles.”

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

NAYS-0

The Budget Officer filed the 2021 Tentative Budget with the Town Clerk on September 30, 2020. A reminder was given that a budget workshop will be held October 15, 2020 at 7:00 pm at the Town Hall.

The Town has received copies of two proposed local laws: one to Override the Tax Cap and one to Opt-Out of the Solar and Wind Energy System and Farm Waste Energy System Exemptions provided by section 487 of the New York State Real Property Tax Law.

RESOLUTION #107- RESOLUTION OF THE ROXBURY TOWN BOARD ACCEPTING PROPOSED LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c AND SCHEDULING PUBLIC HEARING FOR SAME

On motion of Carol Murray second by Michael Hynes the following resolution was offered and adopted:

“WHEREAS, on June 24, 2011 the New York State Legislature enacted Chapter 97 of the NYS Laws of 2011, hereinafter referred to as the “General Municipal Law §3-c”;

WHEREAS, General Municipal Law §3-c expressly authorizes local governments to override the tax levy limit by the adoption of a local law approved by a vote of at least sixty percent (60%) of the total voting power of the governing body (in this case, the “Roxbury Town Board”);

WHEREAS, the Town's Attorney has prepared a proposed Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c; and

WHEREAS, the Town Board has reviewed and modified the proposed Local Law to Override the Tax Levy Limit Established in General Municipal law §3-c; and

NOW, THEREFORE, BE IT RESOLVED that the proposed law is ready for consideration by the Town Board; and

BE IT FURTHER RESOLVED, that the Town Board shall will hold a public hearing for consideration of the Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c on November 5, 2020 at 6:45 pm at the Town Hall; 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-5 Murray, Hynes, Raeder, Davie, Hinkley

NAYS-0

RESOLUTION #108- RESOLUTION SCHEDULING A PUBLIC HEARING ON LOCAL LAW OPTING OUT OF THE SOLAR AND WIND ENERGY SYSTEM AND FARM WASTE ENERGY SYSTEM EXEMPTIONS PROVIDED BY REAL PROPERTY TAX LAW SECTION 487

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

"WHEREAS, the Town Board of the Town of Roxbury ("Town Board") has proposed a new local law to opt-out of the solar and wind energy system and farm waste energy system exemptions provided by section 487 of the New York State Real Property Tax Law (RPTL); and

WHEREAS, the proposed local law would provide that the Town of Roxbury is exercising the opt-out provision afforded local municipalities by Section 487 so that the exemption from real property taxation for solar, wind or farm waste energy systems shall not apply, nor be available, within the Town of Roxbury, Delaware County, New York.; and

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 November 5, 2020 at 6:30 pm at the Town Hall; 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-5 Davie, Hynes, Raeder, Murray, Hinkley

NAYS-0

RESOLUTION #109-RESOLUTION SCHEDULING A PUBLIC HEARING ON THE 2021 PRELIMINARY TOWN BUDGET

On motion of Carol Murray second by Edward Raeder the following resolution was offered and adopted:

"RESOLVED, notice is given that the Town Board will hold a public Hearing on the 2021 Preliminary Budget at 6:15 pm on November 5, 2020 in the Town Hall at which time any person may be heard in favor of or against the proposed budget or any item therein; and

FURTHER RESOLVED, pursuant to Section 108 of the Town Law, the proposed salaries of elected officials are as follows: Councilman (4) \$5,003.38 ea., Justice (2) \$8,844.24 ea., Supervisor \$15,391.29, Tax Collector \$10,267.17, Town Clerk \$44,832.32, Highway Supt. \$57,104.78."

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

NAYS-0

One additional resident arrived at 7:26 pm.

Supervisor Hinkley discussed the NYSEDA funds the Town was awarded that would allow an \$8,000 reimbursement for the Car Charging Station costs. The Town must prove the costs have been at least that amount to be eligible for the funds. Currently, the costs are \$7,450 for the station itself and one year of

networking fees. In order for the total costs to be \$8,000, a second year of networking fees of \$700 will be needed to secure the funds.

On motion of Michael Hynes second by Carol Murray, the Town Board approves adding the invoice of PlugIn Stations Online, for Network Fees for the Car Charging Station, to the October abstract as Capital Projects Voucher #61, 5140.4 in the amount of \$700.

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

NAYS-0

Supervisor Hinkley discussed attending a webinar on the NYS Employer Mandatory Emergency Planning Requirement. The Town Board was given the power point from that webinar. A committee is needed to review the policy. No one from the Town Board volunteered so the matter was tabled.

A Tire Day for Town of Roxbury and Middletown residents will be held October 24, 2020, 8:00 am -4:00 pm at the lot beside the highway garage. Transfer Station permits will be required as well other restrictions will apply.

The Clean Sweep Program requires registration online or by phone.

The Town Board discussed the water leak of Siltanen and the possibility of the water district paying the contractor and then being reimbursed by the owner. Supervisor Hinkley will discuss the matter with Mrs. Siltanen.

On motion of Edward Raeder second by Kenneth Davie the Town Board approved adding the invoice of VNV Heating, Plumbing & Electric to the October abstract as Roxbury Water District, voucher #86, SW8340.4 in the amount of \$1,975.00.

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

NAYS-0

On motion of Michael Hynes second by Kenneth Davie the bills were audited and ordered paid in the following amounts after adding the invoices for Plugin Stations Online and VNV Heating, Plumbing & Electric:

General #392-447	\$33,588.89	Special Lights #13	\$1,253.98
Highway #201-225	\$51,749.65	Capital Projects:	
Roxbury Water #76-86	\$4,452.38	Denver Water Proj #49-50	\$29,402.50
Grand Gorge Water #73-81	\$2,897.07	Grand Gorge Water Proj #51 & 53-56	\$20,139.15
Denver Water #66-76	\$10,737.64	Roxbury Water Proj #52 & #57-60	\$20,139.15
Roxbury Sewer #82-86	\$6,952.95	Car Charging Station #61	\$700.00
Denver Sewer #80-89	\$14,020.81		

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

NAYS-0

RESOLUTION # 110 -RESOLUTION TO ENTER INTO EXECUTIVE SESSION

On motion of Carol Murray second by Kenneth Davie the following resolution was offered and adopted:

“RESOLVED, motion made and seconded for the Town Board to enter into Executive Session at 7:35 pm to discuss personnel matters. Present were: Supervisor Allen Hinkley, Councilmen Edward Raeder, Carol Murray, Kenneth Davie and Michael Hynes and Highway Supt. William Sprague.”

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

NAYS-0

William Sprague exited Executive Session at 7:45 pm.

RESOLUTION #111 -RESOLUTION TO EXIT EXECUTIVE SESSION AND RETURN TO REGULAR MEETING

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 exit Executive Session and return to the regular meeting at 8:00 pm.”

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

NAYS-0

It was stated the Highway contract will be sent to our attorney.

RESOLUTION #112-APPROVE HEALTH INSURANCE HRA PLAN

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

“RESOLVED, the Town Board accepts the Excellus BCBS Simply Blue Plus Bronze 4 HRA (Health Reimbursement Account) Plan effective 12/1/20-11/30/21 at the following premium rates/month: Single \$497.30; 2 Person \$994.60 and Family \$1,417.31; and

FURTHER RESOLVED, the Plan will require the Town to have funds on hand for deductible payments; and

FURTHER RESOLVED, buyout payments for health insurance will be frozen at current amounts.”

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

NAYS-0

RESOLUTION #113-APPROVE MVP DENTAL RATES

On motion of Carol Murray second by Michael Hynes the following resolution was offered and adopted:

“RESOLVED, the Town Board accepts the MVP Dental Plan for the period 12/1/20-11/30/21 at the following premium rates/month: Single \$43.53; 2 Person \$89.22 and Family \$161.93.

FURTHER RESOLVED, buyout payments for dental insurance will be frozen at current amounts.”

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

NAYS-0

On motion of Kenneth Davie second by Michael Hynes the meeting adjourned at 8:08 pm.

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

October 15, 2020

A Special Meeting of the Town Board was held October 15, 2020 at 7:00 pm at the Town Hall. Present: Supervisor Allen Hinkley, Councilmen Edward Raeder, Kenneth Davie, Carol Murray and Michael Hynes, Hwy. Supt. William Sprague, Budget Officer Beth Bush and 1 resident. Present via Zoom: MARK Project, Inc. Director Margaret Ellsworth.

The meeting was called to hold a Budget Workshop on the 2021 Tentative Budget and to discuss any other business that may come before the Board.

The meeting was opened with the pledge of allegiance.

Budget Officer, Beth Bush, went over the budget line items. The following discussions took place:

- *Employee salary increases of 2% except Town Board will remain at 2020 salary
- *The tax assessments may need to be amended for certain funds due to a SCAR hearing decision
- *Constable vehicle purchase/lease. Does not qualify like the County/State leases
- *Tax Cap amount is \$2.95% and is only 2.14% as the budget sits now
- *The Town Board will speak to the Dog Control Officer regarding some matters
- *New cloud server to protect/secure all town files. Grant funds will also be looked into to go towards
- *Highway budget includes a used second mower
- *Grants will be looked into for Transfer Station upgrades
- *Grants will be looked into for new windows at the Civic Center Meal Site. Other windows would not be eligible for grant funds

The following changes were approved for the Preliminary Budget:

- *Add Expenditures General Fund – Buildings Equipment Acct #1620.2 \$5,000 for Cyber cloud server backup at Town Hall
- *Add Expenditures Roxbury Water District – adjust budget sheets to show Acct #8310.4 Supt. \$14,500 and # 8310.1 Clerk \$1,379. Total for Administration remains the same at \$21,979.
- *Change Roxbury Sewer -Amount To Raise By Tax \$42,706.56 thus changing Revenues-DEP Subsidy accordingly.

Margaret Ellsworth updated the Town Board on grants/park:

- *CDBG program has 16 homes involved, 8 have been completed and the others are under contract. The current program is slated to expire in December but a request to extend will be submitted due to Covid holdups.
- *A budget amendment will be submitted to the State for the kitchen project so all funds are received

On motion of Kenneth Davie second by Michael Hynes the meeting adjourned at 8:07 pm.

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

