

August 9, 2021

The regular meeting of the Town Board was held August 9, 2021 at 7:00 pm at the Grand Gorge Civic Center and also via Zoom. Present were: Supervisor Allen Hinkley, Councilmen Edward Raeder, Kenneth Davie, Michael Hynes and Deanna Osborn, Highway Supt. William Sprague, Parks Director Denise Johnston, Assessor Clerk Stephanie Seminara, Attorney Kevin Young, Sewer Operator Alex Yacobucci and 19 residents. Present via Zoom: Water Operator Chris Mattice and an unreported number of residents.

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

A moment of silence was observed in memory of Pat Keith, the Town's Crossing Guard. Condolences have been sent to her family.

Michael Harrington of Lamont Engineers, PC submitted the following report on the water projects:

Denver Water Project

- ▶ Contract 5 (Hinkley) controls start-up is substantially complete. A few issues need to be resolved.
- ▶ As a reminder, in the next month or two, we will need to decide on remaining work items for Contract 6 (Hubbell). These include crawlspace shut-off valves; leak survey; other distribution system work; wellfield access roads; and wellfield check valves.

Roxbury and Grand Gorge Water Project

- ▶ Site work at the wellfield site has continued including the new 6" HDPE piping from PW2 to the new building. The 24" HDPE serpentine contact main is ready to be installed awaiting a drop in groundwater level. Under-slab work by the plumber and electrician was able to be completed after the rain let up.
- ▶ Evergreen has submitted Pay Application #3 and Avolio (the plumber) has submitted Pay Application #1. No other contractor pay applications were received.
- ▶ We will soon make the submission to DEC required for the WQIP funding disbursement– I'm working with Young Sommer to get legal costs associated with the land acquisition. As a reminder, DEC will be contacting Allen about a press release, but that may come after the funding submission.
- ▶ Propane tank procurement – after discussing with Allen, I recommend that the Town proceed with Main-Care at a purchase price of \$9,850 for two 1000-gallon above ground tanks plus placement and set-up for an additional \$1,720 (total of \$11,570). See quote previously forwarded.
- ▶ I have made inquiries to DOH about the relocation of the main near Kevin DePodwin's house. After discussions with Chris Mattice, Dave Cowan, and Allen, I've submitted a work description to DOH. Once DOH endorses the work description, Hubbell or other contractors can provide a quote to Kevin D. for the work. It is likely that the Town's water project will need to repair/restore/replace the valve just below the reservoir as this valve needs to be operable for any future work on this pipeline.
- ▶ Susan Anacker (surveyor) easement analysis for the water main to Roxbury Reservoir is complete and has been forwarded to Kevin Young's office. Harrington will plan to set up a call with Kevin Young the week of 8/16.
- ▶ Lamont has submitted a partial MWBE waiver request to EFC and is waiting for approval prior to requesting drawdown of engineering costs.

Water Project costs to date were distributed to the Town Board.

Water Operator Chris Mattice reported the water leaks in Grand Gorge have been repaired and he is getting parts in to have on hand so repairs can be made as they are found.

Sewer Operator Alex Yacobucci reported Roxbury Sewer had infiltration due to problems with two pump stations. They are special pumps and a quote for repairs has been received from Siewart Equipment at \$11,160 to do both pumps or \$6,331 for one. A pump at Denver Sewer has been repaired inhouse.

RESOLUTION #65 – ROXBURY SEWER PUMP REPAIRS

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

“RESOLVED, the Town Board approves the quote of Siewart Equipment to rebuild two Roxbury Sewer pumps at a cost of \$11,160.”

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

NAYS-0

The Town Board thanked the Roxbury Fire Dept. and Highway Dept. for their help during the stream flooding on State Hwy 30 in the hamlet of Roxbury.

Hughes Energy, not the Town of Roxbury, will be holding two public informational meetings to discuss their proposed municipal waste processing facility project that is still under review by the Town Planning Board and NYSDEC. The meetings are required for the SEQR process and are scheduled for August 19, 2021 at Prattsville Firehouse at 6:00 pm and August 27, 2021 at the Grand Gorge Civic Center at 7:00 pm. The meetings will also be available by Zoom.

Councilman Raeder stated the plumbing issues at the Civic Center have been repaired. Funding for other needed items will be looked into.

Supervisor Hinkley stated he will be meeting with the Planner to discuss final changes to renovation plans for the new Town Hall that are expected to begin soon and plans are to move into the building before January 1.

Highway Supt. William Sprague reported crews continue with road stone and oil, continue with storm damage work and he requested hiring William Schryver to fill the current vacancy in the highway dept. and Clint Goodchild to fill an upcoming vacancy due to retirement.

RESOLUTION #66 – HIRE SCHRYVER & GOODCHILD ON HIGHWAY DEPT.

On motion of Kenneth Davie second by Michael Hynes the following resolution was offered and adopted: “RESOLVED, the Town Board approves the hiring of William Schryver and Clint Goodchild as full-time Heavy Equipment Operator’s (HEO’s) on the Highway Dept. with said start dates to be determined by the Highway Supt.; and

FURTHER RESOLVED, rates of pay and benefits shall be in accordance with the Highway Contract and Employee Handbook.”

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

NAYS-0

Discussion took place on making a portion of Upper Meeker Hollow Rd. a seasonal road from Reynold’s Cross Rd. to the end of Upper Meeker Hollow Road. The owner of Stone Tavern Farm has offered to plow from his property to the next neighbor if the Town makes the portion of road a seasonal road in the winter. The road would still be a Town Road but would be posted as seasonal. The Highway Supt. does not object to making it a seasonal road.

RESOLUTION #67 – SEASONAL ROAD FOR PORTION OF UPPER MEEKER HOLLOW RD.

On motion of Deanna Osborn second by Edward Raeder the following resolution was offered and adopted:

“WHEREAS, the Town Board wishes to officially declare that section of Upper Meeker Hollow Rd., between the intersection with Reynold’s Cross Rd. and the end of the Town maintained portion of Upper Meeker Hollow Rd., as a “Seasonal Road” during the time period December 1 through April 1; and

WHEREAS, the subject section of Upper Meeker Hollow Rd. is approximately .55 miles from Reynold’s Cross Rd. to the end of Upper Meeker Hollow Rd.;

NOW, THEREFORE BE IT RESOLVED, the Town Board of the Town of Roxbury declares that portion of road between Reynold’s Cross Rd. and the end of Upper Meeker Hollow Rd., a distance of .55 miles be a Seasonal Road during the time period December 1 through April 1.”

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

NAYS-0

Discussion took place regarding requests for speed reduction on County Hwy 41 between the current 30 mph zone and south to the end of the road due to complaints of speeding. No motion was made to approve a speed reduction on County Hwy 41. The matter was tabled indefinitely.

Discussion took place regarding parking on County Hwy 41 between State Hwy 30 and the bridge by the Roxbury Motels. Concerns were raised with regular traffic and especially emergency vehicles, getting through that section of road with vehicles parked on both sides.

RESOLUTION #68 – ONE-SIDED PARKING COUNTY HIGHWAY 41

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

adopted:

“WHEREAS, because County Hwy 41 is narrow between State Hwy 30 and the bridge by the Roxbury Motels; and

WHEREAS, it is difficult for regular traffic and emergency vehicles to get through that area if cars are parked on both sides of the road;

BE IT RESLOVED, the Town Board of the Town of Roxbury formally requests Delaware County Dept. of Public Works to deem “No Parking” on the south side of County Hwy 41 between State Hwy 30 and the bridge at the Roxbury Motels, a distance of approximately 475 feet (.09 miles).”

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

NAYS-0

The Assessor submitted a written monthly report to the Town Board and Assessor Clerk Stephanie Seminara also reported they have requested a Real Estate market utility appraisal report from the State so figures can be reviewed to determine if a re-valuation will be needed in 2022. The matter of an abundance of building going on without building permits was also discussed and how it affects assessments and the assessing process.

Margaret Ellsworth was present via Zoom and reported the following:

\*Notification of the grant application submitted for the Roxbury Main Street project should be received in December

\*Under the CDBG Cares Act, the Town can apply for funding, up to \$500,000, for the Roxbury Food Pantry

\*The current CDBG Housing Rehab program will be closing out the end of the year

#### RESOLUTION #69-CDBG CARES ACT APPLICATION FOR ROXBURY FOOD PANTRY

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

“WHEREAS, the Town Board wishes to apply for Community Development Block Grant (CDBG) Cares Act funding for up to \$500,000 for further development and support of the Roxbury Food Pantry; and

WHEREAS, said application will require a Public Hearing;

NOW, THEREFORE BE IT RESOLVED, the Town Board authorizes the MARK Project, Inc. to prepare an application, on behalf of the Town of Roxbury, for CDBG funding in an amount up to \$500,000 for development and support of the Roxbury Food Pantry.”

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

NAYS-0

Councilwoman Deanna Osborn reported the short-term rental committee has reviewed and compiled comments received to date on the draft law. The committee feels they cannot do anything further with changes to the law until the Town Board determines who will be responsible for enforcement. The committee would still like to make it voluntary for STR’s to complete a registration\* now requesting certain information for Fire Dept./ Ambulance services. They will plan to have that registration\* finalized next month. Renee Barchitta expressed concerns with emergencies at STR’s and Mike McManus expressed concerns with target shooting at an STR neighboring him. (*\*changed from “application” to “registration” per the 9/13/21 Town Board meeting*)

#### RESOLUTION #70 – PUBLIC HEARING FOOD PANTRY CDBG APPLICATION

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

“WHEREAS, the Town Board wishes to apply for Community Development Block Grant (CDBG) Cares Act funding for the 2021 Fiscal for an amount up to \$500,000 to undertake the development and enhancement of the Roxbury Food Pantry ; and

WHEREAS, the CDBG Program is administered by NYS Office of Community Renewal and provides resources to eligible local governments for housing, economic development, public facilities, public infrastructure, and planning activities, with the principal purpose of benefitting low/moderate income persons; and

WHEREAS, the hearing is being conducted pursuant to Section 570.486, Subpart I of the CFR and in compliance with the requirements of the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the Public Hearing will provide further information on the project and will gather public comment on the proposed application;

NOW, THEREFORE BE IT RESOLVED, the Town of Roxbury will hold a Public Hearing September 13, 2021 at 6:45 pm at the Town Hall to hear all comments regarding the proposed application for CDBG funding in an amount up to \$500,000 for further development and support of the Roxbury Food Pantry.”  
AYES-5 Davie, Raeder, Hynes, Osborn, Hinkley  
NAYS-0

On motion of Edward Raeder second by Deanna Osborn the Town Board approved the Minutes of the July 12, 2021 Town Board meeting.  
AYES-5 Raeder, Osborn, Davie, Hynes, Hinkley  
NAYS-0

Parks Director Denise Johnston submitted a written report for the Town Board and also reported:  
\*She is busy with park events, weeding flower beds and working on walking trails  
\*A contract is still needed for use of the kitchen and fees must be set. Attorney Young will review the information submitted by the Parks Director  
\*Questioned when the flood alleviation project will be started at the north end of the park as it is still quite wet in that area. Supv. Hinkley will be meeting with Delaware County Soil & Water this week to renew the DEC stream permit and see where the project stands  
\*There are still some bad trees in the park. The matter will be looked into. The Town Board thanked Denise’s husband James Johnston for helping clean up the limbs that have fallen off.

Country Home Security has submitted a quote to install an additional camera at the Park Kitchen and three new cameras at the Transfer Station in the amount of \$1,007.50.

#### RESOLUTION #71 – CAMERAS AT PARK KITCHEN AND TRANSFER STATION

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

“RESOLVED, the Town Board approves the proposal of Country Home Security for installation of cameras and equipment in the amount of \$1,007.50 as follows: one additional camera at the park kitchen and three new cameras at the Transfer Station.”

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

A letter and plans were received from Kevin DePodwin who has requested Town Board approval to move the existing water main that runs from the Roxbury Water Reservoir, down through his lands to Vega Mountain Road. The current water main is only about 3 feet from his house and is where he plans to construct an addition on the house.

#### RESOLUTION #72 –ROXBURY WATER MAIN MOVE (DEPODWIN)

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

“WHEREAS, Kevin DePodwin’s house is located at 4898 Vega Mountain Rd.; and  
WHEREAS, the Roxbury Water main from the Roxbury Water reservoir runs through his property to Vega Mountain Rd. and is only approximately 3 feet from the house; and  
WHEREAS, Mr. DePodwin is planning to build an addition on the house where the water main is located; and  
WHEREAS, Mr. DePodwin has submitted a visual plan of changing the course of the water main to go around the proposed addition on the house; and  
WHEREAS, said costs for moving the water main will be the sole expense of Mr. DePodwin except the Water District will be responsible for the valve;  
BE IT RESOLVED, the Town Board approves of the owner moving the water main to go around the proposed house addition; and  
FURTHER RESOLVED, all work shall be approved by and coordinated with the Town’s Engineer on the Roxbury/Grand Gorge Water Project, Michael Harrington of Lamont Engineers, PC.”

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

A letter was received from the Grand Gorge Community Action Group requesting funds from the Town Board for repairs of their Christmas Wreaths that are hung each year on poles on State Hwy 30 and 23. Joseph Resch, President of the club explained what items were needed and Margaret Ellsworth also

offered to write a grant to the O’Conner Foundation for additional funds.

RESOLUTION #73 – DONATION GRAND GORGE COMMUNITY ACTION GROUP WREATHS

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

“RESOLVED, the Town Board authorizes a donation of \$2,500 to the Grand Gorge Community Action Group to be used to repair/upgrade holiday wreaths hung annually in the hamlet of Grand Gorge; and FURTHER RESOLVED, approves the transfer of \$2,500 from Good Neighbor Funds to General Fund to pay said cost.”

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

NAYS-0

Parks Director Denise Johnston reported the Friends of Roxbury will hold a mixer at the Kirkside Park Pavilion August 25, 2021 at 5:30 pm for a meet and greet. The rain date will be August 26, 2021.

Michael Martin expressed concerns with the ongoing traffic speed on Becker Ave. in Grand Gorge. Councilman Raeder suggested making it a dead end one half way through the road. The Town Board will look into the matter further and will also contact the County & State for additional solutions.

Letters were received from Delaware County Chamber President Ray Pucci and resident Robin Factor requesting the Town Board not “opt out” of the Retail and Dispensary License and On-Site Consumption License Provisions of the Marijuana Regulation and Taxation Act / New York Cannabis Law. The matter is currently under a fact- finding phase. Attorney Kevin Young explained the process if the Town Board decides to “opt out” and added if they are going to “opt-out” the Town Board needs to schedule a Public Hearing on the proposed local at the October 11, 2021 meeting at the latest. Margaret Ellsworth offered additional information as well. The matter was tabled.

Discussion took place on the music on the porch at the Liberal Arts building in the square where the Town Board discussed concerns with people standing in roads and around the Veteran’s Memorial during the music.

\*Emails were received from Harry Anifantakis, Kevin Moore, Meredith Rush-Bell, Lewis Wendell, John Leder, Charles Leighton, Barbara Weston-Robinson and Jeffrey Tichenor regarding the Town Constable’s clearing of the road and memorial property having been called to do so. Supervisor Hinkley stated the actions of the Constable is a personnel matter.

\*Richard Bell expressed concerns with how the music on the porch and Constable actions were handled and further does not feel welcome in the Town of Roxbury. Michael McManus also expressed concerns with not feeling welcome and added he felt Constable Williamson was nice in how he spoke to the people at the music event. Supervisor Hinkley responded for feelings of being unwelcome contact the Town, the music matter brings issues of concerns with traffic and safety and everyone needs to get along better.

\*Lacey Stewart also feels frustrated and suggests people need to listen to each other and compromise.

\*Margaret Ellsworth suggested speaking with the owner of the venue and having better communication. Supervisor Hinkley stated he has spoken with the owner of the venue.

\*Patricia Williamson suggested the Town Board make it clear as to whether the memorial site can be used or not for future events.

Teresa Borst expressed concerns with Short-Term Rental problems encountered with renters and property damage.

Lucia Strutt stated Roxbury Arts Group will be holding a concert at her barn on Howard Greene Rd. and questioned who she needs to notify. Supervisor Hinkley stated fire and police should be notified.

Judith Maguire questioned how to obtain letters and emails that have been sent to the Town Board on matters. Attorney Kevin Young stated they can be requested under the Freedom of Information Law (FOIL).

Ricky Gabriel questioned the Hughes Energy project in regards to exposures, environmental issues and impacts on the community. It was stated NYSDEC is Lead Agency on the Project and public info meetings are scheduled to be held by Hughes Energy.

RESOLUTION #74 - RESOLUTION TO ENTER INTO EXECUTIVE SESSION

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

“RESOLVED, motion made and seconded for the Town Board and Attorney to enter into Executive Session at 8:53 pm to discuss an employee issue and possible contract matter.”

Present were: Supervisor Allen Hinkley, Councilmen Edward Raeder, Kenneth Davie, Michael Hynes and Deanna Osborn and Attorney Kevin Young.

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

NAYS-0

RESOLUTION #75-RESOLUTION TO EXIT EXECUTIVE SESSION AND RETURN TO REGULAR MEETING

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 and Attorney to exit Executive Session and return to the regular meeting at 9:22 pm.”

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

NAYS-0

On motion of Kenneth Davie second by Michael Hynes the Town Board approved the following department reports:

\*Town Clerk monthly report for July 2021 in the amount of \$2,145.25 (Town Clerk \$575.25 and Building Permits \$1,570.00

\*Supervisor’s monthly report for June 2021

\*Assessor’s monthly report for July 2021

\*Building Inspector’s monthly report for July 2021

\*Water District monthly report for July 2021 reflecting receipts in the following amounts: Denver \$2,747.58; Grand Gorge \$3,534.25 and Roxbury \$5,105.50)

\*Justice Court monthly report for June 2021 in the amount of \$6,451.00

\*Parks Dept. status report for August 2021

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

NAYS-0

The following agenda items had no action:

\*Denver Sewer Upgrade – not ready

\*Award RFP website redesign – Supervisor Hinkley, Councilman Hynes and Margaret Ellsworth will review all proposals received and report back to the Town Board

\*Speed reduction request Meeker Hollow

\*Hiring a School Crossing Guard – job has been advertised

RESOLUTION #76 – ROXBURY/GRAND GORGE WATER PROJECT PROPANE TANKS

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

“RESOLVED, the Town Board approves the Main Care Energy proposal in the amount of \$11,570 to install two propane tanks at the site of the proposed Roxbury/Grand Gorge Water Project new wellhouse #3 that is to be constructed.”

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

NAYS-0

RESOLUTION #77 – CAPITAL PROJECTS PRE-APPROVAL BILLS

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

“RESOLVED, the Town Board has audited the following vouchers and invoices and approves payment to the vendor prior to the next Town Board meeting, should funds be received from the funding source, with said vouchers to be included on the next abstract of bills after payment:

Project	Req #	Vendor	Amount	Total
Grand Gorge Water Project	16	Avolio Brothers LLC	\$12,825.00	
		Young & Sommer	\$234.01	

		Young & Sommer	\$167.00	
		Evergreen Mtn. Contracting	\$19,256.50	\$32,482.51
Roxbury Water Project	16	Avolio Brothers LLC	\$12,825.00	
		Young & Sommer	\$234.01	
		Young & Sommer	\$167.00	
		Evergreen Mtn. Contracting	\$19,256.49	\$32,482.50
Denver Water Project	4-B	Hinkley Associates Inc.		\$9,960.75

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

The Annual Financial Report for the year 2020 has been filed with the NYS Comptroller's Office and a copy is on file at the Town Clerk's Office.

On motion of Deanna Osborn second by Michael Hynes, General Fund Voucher #346, A8668.4, \$2,500.00 Grand Gorge Community Action Group was added to the abstract and the bills were audited and ordered paid in the following amounts:

General Fund #304-346	\$46,401.85	Special Lights #10	\$1,155.46
Highway Fund #166-185	\$54,685.56	Capital Projects:	
Roxbury Water #70-79	\$3,463.05	Grand Gorge Water Proj #44-53	\$83,453.14
Grand Gorge Water #67-81	\$13,906.40	Roxbury Water Proj #54-61	\$82,014.47
Denver Water #51-59	\$3,082.24	Grand Gorge Water Proj #62	\$65,581.75
Roxbury Sewer #55-63	\$8,379.47	Roxbury Water Proj #63	\$65,581.75
Denver Sewer #76-86	\$16,019.23	Hughes Energy Proj #64	\$100.00

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

A reminder was given the 2022 Budget department sheets are due back to the Budget Officer by September 7, 2021 for the Tentative Budget.

On motion of Michael Hynes second by Deanna Osborn the meeting adjourned at 9:31 pm.

THIS IS A TRUE COPY

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

