

January 06, 2016

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held immediately following the Organizational Meeting, on Wednesday, January 06, 2016 at 7:30 PM at the Town Hall.

Present:                    Arthur M. Merrill                    Supervisor  
                                 Janet L. Champlin                    Councilwoman  
                                 Mark W. Mattson                    Councilman  
                                 Julie A. Markert                    Councilwoman  
                                 Gregory L. Lavorgna                Councilman  
Recording Secretary: Julie B. Townsend                Town Clerk

Others present: Kenneth R. Eck, Jr.-Highway Supt., Michael DeGroat-Town Attorney, Lillian Brown-Walton Reporter, Jerry Merrill, Jeff Francisco, Bonnie Seegmiller, Mary Brawley-Fuat, Alan Donner, Vinny & Juanita Picece, Louie Banker, Steven Adamson, and Tom Zampolin.

The Meeting was called to order by Supervisor Arthur M. Merrill and led the group in the Pledge of Allegiance.

The minutes of the last regular meeting, December 16, 2015 had been distributed earlier. Julie Markert made the motion to accept the minutes as written, seconded by Janet Champlin, all in favor, motion carried.

**GUEST COMMENTS:** Jeff Francisco of Delaware Engineering reported that the DWD submitted the 2015 CFA Application for the Office of Community Renewal Community Development Block Grant Program, the DWD did not receive a grant from this Program; we will continue to look for other grants for the DWD Filtration System Project. Mr. Francisco added that we hope to go out to bid this spring for the CFWD Water System Rehabilitation Project. Supervisor added that Senator Bonacic offered grants up to \$100,000 and we submitted one for the DWD Filtration System Project.

**VISITOR COMMENTS:** Steven Adamson a resident of Knox Avenue stated that there a couple of outdoor boilers that are giving off terrible odors, air is tick and the smoke lingers; his family has been choking and getting sick and having to use inhalers; believes that these boilers are not up to code; all the new ones have scrubbers and this needs to be addressed. Supervisor replied that he and the CEO have been looking into what we can do about the outdoor boilers. CEO stated that these have been permitted. Board discussed. Supervisor commented that we need to study and suggest a solution that will work. Board will revisit this item at a future meeting.

**CORRESPONDENCE:**

- Association of Towns- The 2016 Training School and Annual Meeting to be held February 14-17, 2016 at the Marriott Marquis in New York City.
- NYS Homeland Security and Emergency Services- payment processed from the Remnants of Tropical Storm Lee declared on Sept. 13, 2011 in the amount of \$42,804.60; also received \$157,085.00 for PW2239-Mink Brook Road.
- NYS Unified Court System- Town of Colchester Court has been awarded a grant under the 2015-2016 cycle of the Justice Court Assistance Program in the amount of \$9,350; 7,500 for construction at Town Hall, 1,550 for furniture and 300 for an air conditioner for the Cooks Falls Court.
- Trout Unlimited- Horse Brook Stream Continuity Aquatic Habitat Restoration Project- Final Report- NYS Council Conservation Fund.

REPORTS- written reports on file at Town Clerk's Office:

- Cooks Falls Water District- December 2015- 2 customers balance due \$100.00; Receipts of \$150.00 disbursed to Supervisor.
- Downsview Water District- December 2015- 8 customers balance due \$435.45; Receipts of \$116.20 disbursed to Supervisor.
- Town Clerk-December 2015-Total disbursed \$1,324 of which \$1,293 was Town revenues.
- Town Justice Edward J. DeRosia- December 2015.
- Town Justice Arthur C. Edel- December 2015.

Supervisor Merrill reported that Cedarwood Engineering has recommended Change Order No. 1 for the Berg Brook Road Bridge Replacement Project, Contract No. TC-2015-02 Structure H5 in the amount of \$14,520.00; to replace two sheeting that were utilized due to the fact that they were severely damaged during driving due to unforeseen hard driving conditions and two additional sheeting that were added to the ends of the wingwalls to prevent high water from entering behind the new structure to the bid price of JB12 Corp.; we also have payment request #3 in the amount of \$78,724.60 and the final payment to JB12 Corp in the amount of \$17,913.80; we can now submit paperwork to FEMA as the project is completed. Board discussed.

NO. 10-2016 01/06/16 Change Order No. 1 Contract No. TC-2015-02

Upon recommendation from Cedarwood Engineering Services, Janet Champlin made the following resolution:

WHEREAS, on August 19, 2015, per Resolution No. 90-2015, the Town Board of the Town of Colchester awarded the FEMA#1710-PW150 Berg Brook Road Structure H5 Project Contract No. TC-2015-02 to JB12 Corp. with a base bid contract price of \$343,756.00; and

WHEREAS, Cedarwood Engineering Services approves and recommends Change Order No.1 to adjust the replacement of two sheeting that were utilized due to the fact that they were severely damaged during driving due to unforeseen hard driving conditions and two additional sheeting that were added to the ends of the wingwalls to prevent high water from entering behind the new structure in the amount of \$14,520.00;

THEREFORE BE IT RESOLVED that the Town Board of the Town of Colchester hereby approves Change Order No. 1 for the FEMA#1710-PW150 Berg Brook Road Structure H4 Project Contract No. TC-2015-02 and hereby authorize Supervisor Arthur M. Merrill to sign said Change Order to add the amount of \$14,520.00 to the base bid price of JB12 Corp.;

FURTHER RESOLVED, that the Town Board of the Town of Colchester hereby authorize Supervisor Arthur M. Merrill to make final payment and sign the Certificate of Substantial Completion for FEMA#1710-PW150 Berg Brook Road Structure H5 Project Contract No. TC-2015-02 to JB12 Corp.

Resolution was seconded by Greg Lavorgna, all in favor, resolution declared adopted

Supervisor reported on the following:

- We are in the process to close out all the FEMA projects.
- We have not heard back from Sarah Antonacci regarding the SAM Grant.
- CDBG- Housing Rehabilitation Program is underway; no new requests at this time.
- We did not receive the 2015 NYS Office of Community Renewal NY Main Street Grant.
- Application sent in for the NYSEG- Small Business Energy Efficiency Program.
- Going to the County to discuss further the GIS Solutions.
- The time period for the permissive referendum is nearing and at the next meeting the Police Dept. will submit the quote for the anticipated police vehicle.

Supervisor Merrill reported that we are paying vouchers for 2015 tonight and we will need to make budget transfers and amendments to clean up the 2015 Budget; we do not have solid figures but he would like authorization to do this after the vouchers are paid. Board discussed.

NO. 11-2016 01/06/16 Budgetary Transfers

Mark Mattson made the following resolution:

BE IT RESOLVED, that the Supervisor be and is hereby authorized to make the following budgetary transfers:

	Transfer from account	transfer to account	amount
Gen	11101.12 Justices Edel PS	11101.11 Justices DeRosia PS	47.35
	11104.11 Justices DeRosia CE	11101.11 Justices DeRosia PS	709.51
	11102.11 Justices DeRosia EQ	11101.11 Justices DeRosia PS	500.00
	13302.1 Tax Collector EQ	13304.1 Tax Collector CE	289.95
	12204.1 Supervisor CE	13304.1 Tax Collector CE	43.19
	13552.1 Assessors EQ	13554.1 Assessors CE	608.96
	19904.1 Contingency	14201.1 Attorney PS	400.00
	19904.1 Contingency	19101.1 Unallocated Insurance	1,734.94
	19904.1 Contingency	31201.1 Police PS	987.92
	31202.1 Police EQ	31204.1 Police CE	3,465.80
	19904.1 Contingency	31204.1 Police CE	2,962.26
	19904.1 Contingency	33104.1 Traffic Control CE	1,549.91
	67724.1 Programs for Aging CE	65104.1 Veterans Services CE	13.35
	71104.1 Parks CE	71402.1 Playground/Rec EQ	977.21
	81602.1 Refuse/Garbage EQ	71404.1 Playground/Rec CE	3,044.32
	80204.1 Planning CE	80201.1 Planning PS	10.20
	81602.1 Refuse/Garbage EQ	81604.1 Refuse/Garbage CE	7,351.17
	88102.1 Cemeteries EQ	88104.1 Cemeteries CE	1,640.51
Hwy	51304.3 Machinery CE	51104.3 General Repairs CE	6,479.12
	51304.3 Machinery CE	51122.3 Permanent Improvement EQ	16,084.90
	51304.3 Machinery CE	51302.3 Machinery EQ	62,945.50
DWD	97107.8 Interest on Debt Service	83304.8 Purification CE	1,974.05
	83204.8 Source Power Pump CE	83402.8 Trans/Distrib EQ	5,000.00
	90608.8 Medical Insurance	83402.8 Trans/Distrib EQ	553.02
	90608.8 Medical Insurance	83404.8 Trans/Distrib CE	1,974.77
CFWD	83104.9 Administration CE	97106.9 Debt Service on Bond	100.00

Resolution was seconded by Greg Lavorgna, all in favor, resolution declared adopted.

NO. 12-2016 01/06/16 Budgetary Amendment

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Supervisor be and is hereby authorized to make any necessary budgetary amendments for the year 2015:

\$2,478.75 from Lighting District Surplus to Lighting District 51824.7 Street Lighting CE

\$6,000.00 from DWD Surplus to DWD 83404.8 Trans/Distrib CE

Resolution was seconded by Mark Mattson, all in favor, resolution declared adopted.

Councilman Mark Mattson commented that he heard that NYSEG is looking at outside lights and is replacing street lights.

Board held discussion on transfer station and the C&D bin and scrap metal; Councilmen Mattson and Lavorgna are on the transfer station committee; they will research and present a proposal.

Supervisor commented that he would like to hire Brady Gales for snow shoveling the Town Hall and bridge on Main Street. Board discussed.

NO. 13-2016 01/06/16 Hire Brady Gales for Snow Shoveling

Janet Champlin made the following resolution:

BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorize the Town Supervisor to hire Brady Gales of 14969 State Hwy 30, Downsville to shovel snow off the

bridge located at 15105 State Hwy 30, Downsville and other Town facilities as needed, by voucher and at the rate of \$10.00 per occasion.

Resolution seconded by Julie Markert, all in favor, resolution declared adopted.

Supervisor Merrill made the following announcements:

- Town Clerk's Office Closed Monday, January 11th
- Town Hall Offices Closed Monday, January 18<sup>th</sup> –Martin Luther King Jr Day
- Next Regular Board Meeting Wed., January 20, 2016 at 7PM

Councilman Lavorgna commented that when reviewing the Town's policies he noticed that there is a Workplace Violence Prevention Policy. Supervisor replied that once a year everyone needs to read and sign off.

Councilwoman Markert commented that there is another round of grants available under the Smart/Main Street Grant Program. Supervisor replied that we will look into it.

Supervisor reported that he attended the DRBC RFAC meeting in Hawley, PA on December 3, 2015 to participate in the opportunity to interact with the five 1954 U.S. Supreme Court Decree Party Principals and comment on the updating of the FFMP; the five Decree Party Principals did not show; the members are asking for another meeting and the Supervisor asked for approval to send a letter to the five Decree Party Principals. Board discussed and approved.

Supervisor Merrill commented that he received an email to write a letter to the State Government against the Tax Cap Law; percentages are decreasing every year; it faults budget increases when not needed; forcing us to aim at that tax cap to what is allowed; sometimes we could decrease or no increase; way to beat it would go high one year. Supervisor asked for approval to write the letter. Board agreed.

Police Officer Rich Pagillo presented a Proposal and Implementation of the Town of Colchester Police Department Narcotics Detection Police Service Dog: kicking around the idea of a K-9; we have one of the biggest traffic corridors, with traffic comes drugs; dual purpose dog; getting a lot of donated items: dog, food, vehicle cage, vet services; dog would work for 7 years then goes to the handler; there would be training for 3 weeks in Texas (end of Feb.) and then 2 days a month in Endicott. Board discussed and tabled to next meeting. Board would like more information and donations to be put in writing.

CEO Tom Zampolin presented a new building permit application; he is also looking at permit fees; the fees need to be realistic to balance the system; estimated hours = permit fee. Board discussed and tabled adoption of new fees. Councilman Mattson asked if the CEO should be contacted on all fires; yes was the response.

**SUBMISSION OF BILL/EXPENSES:** Janet Champlin made the motion, seconded by Greg Lavorgna, that the vouchers be approved, subject to any corrections or deletions, all in favor, motion carried. Abstract No.24-2015; Voucher No.704-734; Totaling \$122,521.78.

Supervisor Merrill reported that the County Board of Supervisor held their organizational meeting and he was appointed Budget Director.

With no further business, Janet Champlin made the motion for adjournment, seconded by Mark Mattson, all in favor, motion carried. Meeting adjourned at 9:07 PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk