

January 18, 2017

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, January 04, 2017 at 7:00 PM at the Town Hall.

Present: Arthur M. Merrill Supervisor
Janet L. Champlin Councilwoman
Gregory L. Lavorgna Councilman
Mark W. Mattson Councilman

Absent: Julie A. Markert Councilwoman

Recording Secretary: Julie B. Townsend Town Clerk

Others present: Kenneth R. Eck, Jr.-Highway Supt., Michael P. DeGroat-Town Attorney, Jeff Francisco-Delaware Engineering, Officers Pagillo & Cawley and Alan Donner.

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

The minutes of the Organizational meeting, January 04, 2017 had been distributed earlier. Janet Champlin made the motion to accept the minutes as written, seconded by Mark Mattson, Janet Champlin-aye, Greg Lavorgna-aye, Mark Mattson-aye, Arthur Merrill-aye, Julie Markert-absent, motion carried. The minutes of the last regular meeting, January 04, 2017 had been distributed earlier. Greg Lavorgna made the motion to accept the minutes as written, seconded by Janet Champlin, Janet Champlin-aye, Greg Lavorgna-aye, Mark Mattson-aye, Arthur Merrill-aye, Julie Markert-absent, motion carried.

Councilwoman Champlin reported that Tax Collector AJ Vessey has stated that she is open for business the last day taxes are due, Thursday, February 2nd; she collects taxes at her home on Tuesday, Thursday and Saturday until February 2nd.

VISITOR COMMENTS: Jeff Francisco of Delaware Engineering inquired to the status of the contract for the DWD Spring System Upgrade DWSRF Project No.17537. Town Attorney, Michael DeGroat stated that he has reviewed the contract; he explained a few items and gave his approval. Board discussed.

NO. 14-2017 01/18/17 Professional Services Contract with Delaware Engineering, DPC

Janet Champlin made the following resolution:

WHEREAS, Town of Colchester has deemed it necessary to upgrade the spring system of the Downsville Water District; and

WHEREAS, the Town of Colchester is eligible for reimbursement under a Drinking Water State Revolving Fund (DWSRF) grant of \$191,086 and an interest free loan of \$127,390 administered through the New York State Environmental Facilities Corporation (NYSEFC); and

WHEREAS, the Town of Colchester will require professional services for the DWD Spring System Upgrade DWSRF Project No.17537;

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to execute a Professional Services Contract for the mentioned project to enter into Contract with Delaware Engineering, DPC in accordance with the scope of services and terms of payments in the amount not to exceed \$72,500 unless prior authorization is received.

Resolution was seconded by Greg Lavorgna, Janet Champlin-aye, Greg Lavorgna-aye, Mark Mattson-aye, Arthur Merrill-aye, Julie Markert-absent, resolution declared adopted.

Jeff Francisco commented that he spoke with the Water Company in Bovina; they were not using the bag filter system and having a little problem.

Supervisor reported that we were asked to adopt a resolution authorizing the execution and filing of an application and execution and delivery of an agreement setting forth the terms of the Project financing and other documents necessary for DWSRF assistance. Board discussed.

NO. 15-2017 01/18/17 RESOLUTION AUTHORIZING DWSRF APPLICATION
AND AGREEMENT FOR PROJECT FINANCING
NEW YORK DRINKING WATER STATE REVOLVING FUND

Greg Lavorgna made the motion for the following resolution:

A resolution authorizing the execution and filing of an application and execution and delivery of an agreement setting forth the terms of the Project financing and other documents necessary for DWSRF assistance.

WHEREAS, the Town of Colchester herein called the “Applicant”, after thorough consideration of the various aspects of the problems and study of available data, has hereby determined that a project generally described as: Water System Improvements and identified as DWSRF Project No.17357 herein called the “Project”, is desirable and in the public interest, and to that end it is necessary that action preliminary to the construction of said Project be taken immediately; and

WHEREAS, the United States, pursuant to Title XIV of the Public Health Service Act (commonly known as the "Safe Drinking Water Act"), 42 U.S.C. §§300f, *et seq.*, as amended (the “Act”), requires each State to establish a drinking water revolving fund to be administered by an instrumentality of the state before the state may receive capitalization grants under the Act; and

WHEREAS, the State of New York has, pursuant to Chapter 413 of the Laws of 1996 (the “DWSRF Act”) established in the custody of the New York State Environmental Facilities Corporation (the “Corporation”) a drinking water revolving fund (the “Fund”) to be used for purposes of the Act; and

WHEREAS, the Corporation has been created, reconstituted and continued pursuant to the New York State Environmental Facilities Corporation Act, as amended, being Chapter 744 of the Laws of 1970, as amended, and constituting Title 12 of Article 5 of the Public Authorities Law and Chapter 43-A of the Consolidated Laws of the State of New York, and constitutes a public benefit corporation under the laws of the State of New York, being a body corporate and politic with full and lawful power and authority to provide financial assistance from the Fund; and

WHEREAS, the Corporation has the responsibility to administer the Fund and to provide financial assistance from the Fund to municipalities for eligible projects, as provided in the DWSRF Act; and

WHEREAS, the DWSRF Act authorizes the establishment of a program for financial assistance for planning, design and construction of eligible projects;

NOW, THEREFORE, BE IT RESOLVED BY that the Town Board of the Town of Colchester as follows:

1. The filing of an application for DWSRF assistance in the form required by the Corporation in conformity with the DWSRF Act is hereby authorized, including all understandings and assurances contained in said application.
2. The following person is directed and authorized as the official representative of the Applicant to execute and deliver an application for DWSRF assistance, to execute and deliver the Project financing agreement and any other documents necessary to receive financial assistance from the Fund for the Project, to act in connection with the Project and to provide such additional information as may be required and to make such agreements on behalf of the Applicant as may be required: Arthur M. Merrill, Town Supervisor.
3. The official designated above is authorized to make application for financial assistance under the DWSRF Program.
4. One (1) certified copy of this Resolution shall be prepared and sent to the **New York State Environmental Facilities Corporation, 625 Broadway, Albany, New York 12207-2997.**
5. This Resolution shall take effect immediately.

Resolution was seconded by Janet Champlin, Janet Champlin-aye, Greg Lavorgna-aye, Mark Mattson-aye, Arthur Merrill-aye, Julie Markert-absent, resolution declared adopted.

CORRESPONDENCE:

- Coalition of Watershed Towns- Annual Report of Activities for 2016.
- Otsego County Law Enforcement Academy- Invitation to participate in the 20th Session of the OCLEA commencement exercises on January 7th at 5PM. Supervisor/Police Commissioner Merrill attended; there were 19 graduates including Officer Krista J. Baxter; we need to change her hourly rate of pay. Board discussed.

NO. 16-2017 01/18/17 Pay Rate Change for Part-time Officer Krista J. Baxter

Greg Lavorgna made the following resolution:

WHEREAS, on January 7, 2017 Krista J. Baxter graduated from the Otsego County Law Enforcement Academy;

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby changes her pay rate from Cadet Officer to Part-time Officer, a rate of \$20.00 per hour.

Resolution was seconded by Mark Mattson, Janet Champlin-aye, Greg Lavorgna-aye, Mark Mattson-aye, Arthur Merrill-aye, Julie Markert-absent, resolution declared adopted.

- NYS Unified Court System- the Colchester Town Court has been awarded a grant under the 2016-17 cycle of the Justice Court Assistance Program (JCAP) in the amount of \$7,432.72.
- Catskill Watershed Corp. - CWC can pay for fuel tank anchoring.

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

- Town Justice DeRosia- December 2016.

Supervisor Merrill reported that the Board Audits of Town Justice DeRosia, Town Justice Edel, Tax Collector, Town Clerk, CFWD and DWD have all been completed.

Supervisor reported that the NYS Comptroller's Office has completed their audit of the Town and a draft letter of their findings has been sent to each of the Town Board Members.

Supervisor Merrill reported that Trout Unlimited has been approved for a grant from Arbor Day Foundation; they would like to place a few trees along river/stream banks and have asked for recommendation of some sites in the Town of Colchester; Supervisor asked the Board to make suggestions to him at the next meeting.

Supervisor reported that Gene Mills of the Downsville American Legion has approached him with the proposal of having flags at the Gregorytown and Cooks Falls Cemeteries; we would purchase the flagpoles and the Legion would supply the flags and installation. Board discussed. It was also suggested to look into solar lighting for all the flagpoles.

NO. 17-2017 01/18/17 Cemetery Telescoping Flagpoles

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes the purchase of two telescoping flagpoles to be installed at the Cooks Falls Cemetery, 167 Cooks Falls Road and at the Gregorytown Cemetery, 2182 River Road.

Resolution was seconded by Mark Mattson, Janet Champlin-aye, Greg Lavorgna-aye, Mark Mattson-aye, Arthur Merrill-aye, Julie Markert-absent, resolution declared adopted.

Supervisor Merrill reported that he has spoken with Michael O'Reilly of Cedarwood Engineering Services PLLC regarding the Pedestrian Bridge from the Covered Bridge Park to Mark Butcher's property on the other side of Down's Brook; we received free beams that are 80'6" long; Cedarwood has submitted a Professional Services Contract for the Pedestrian Bridge

Construction at a cost of \$4,250; they estimate the project to be \$52,500; they recommend the project to go to bid, but the Town could save some money if they did some in-kind work. Supervisor asked the Board to think about the project; he added that we have not had any luck with grant money.

Supervisor reported that there is a voucher in tonight to TASER International in the amount of \$1,820.16; this is to replace the police Taser and holster that was destroyed in the garage fire of Officer Cawley; we will look into an insurance claim.

Supervisor Merrill reported that Alan Barnes a Fund Raising Specialist for the Delaware County Firemen's Association stopped by with a Clothing Recycling Program; the DCFA is in a partnership with Textile Recovery Services, Inc.; they would like to place 50 clothing bins within Delaware County; TRSI will give the Fire Dept. \$50 per month per bin. Board discussed. It was suggested to see if the Cooks Falls/Horton Fire Dept. would be interested. Supervisor commented maybe one at the transfer station.

Supervisor Merrill made the following announcements:

- Next Regular Board Meeting Wed., February 1st at 7PM.

Councilman Lavorgna commented that the Town should have an employee handbook; he is willing to draw up a draft. Supervisor replied that is a good idea and we have wanted to do this for years. Supervisor will get a copy of the County's handbook and the Town Attorney will look at his firm's handbook.

Councilman Lavorgna commented that now that we have a Canine Unit, he would like to see our police go onto NYS17; there are programs like Buckle-Up New York and Speed Traffic Enforcement that we should get involved with. Officer Pagillo commented that the State has program to reimburse. Supervisor replied that we have on the books not to patrol NYS17; not sure if it will get support; serve and protect is our policy. Board discussed further. Supervisor stated that we have a police dept. to do their jobs and being visible throughout the Township is just a part of their many duties.

Officer Pagillo reported that Dennis Bennett a NRA Instructor would like to conduct an At Home Fire Safety Course; this course has no shooting just talk about gun safety; do we have a location? Officer Pagillo would like to help; Del. Co. does not require a safety course. Supervisor suggested the Highway Garage.

Councilman Mattson suggested that since we have started a new year we should be thinking of new projects in a more positive direction and growth.

SUBMISSION OF BILL/EXPENSES: Mark Mattson made the motion, seconded by Janet Champlin, that the vouchers be approved, subject to any corrections or deletions, Janet Champlin-aye, Greg Lavorgna-aye, Mark Mattson-aye, Arthur Merrill-aye, Julie Markert-absent, motion carried. Abstract No.01-2017; Voucher No.01-37; Totaling \$94,015.20.

With no further business, Greg Lavorgna made the motion for adjournment, seconded by Janet Champlin, Janet Champlin-aye, Greg Lavorgna-aye, Mark Mattson-aye, Arthur Merrill-aye, Julie Markert-absent, motion carried. Meeting adjourned at 8:09 PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk