

January 20, 2016

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, January 20, 2016 at 7:00 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: Michael DeGroat-Town Attorney, Thomas Zampolin-CEO, Lillian Brown - Walton Reporter, Bonnie Seegmiller, Mary Brawley-Fuat, Alan Donner, Colleen Griffith, Louie Banker, Jim Shields, Vinny & Juanita Picece and Officer Pagillo.

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 of January 06, 2016 had been distributed earlier. Janet Champlin made the motion to accept the minutes as written, seconded by Julie Markert, all in favor, motion carried. The minutes of the last regular meeting, January 06, 2016 had been distributed earlier. Julie Markert made the motion to accept those minutes as written, seconded by Mark Mattson, all in favor, motion carried.

VISITOR COMMENTS: none

CORRESPONDENCE:

- Email regarding Bed Tax- the Bed Tax goes into effect 03-01-2016; businesses must complete registration at the County Treasurer's Office.

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

- Cooks Falls Water District- Annual 2015.
- Downsville Water District- Annual 2015.
- Town Clerk-Annual 2015.
- FEMA Projects- 2015 Recap & Current Status.
- Historian - Annual 2015.

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 #6475-Salt Shed or SAM Grant #6828-Town Hall Renovation Project.
- Waiting for approval from Albany DOH on the CFWD Water System Rehabilitation Project then we can go to bid.
- Received Commitment Letter from Bonacic Grant \$50,000 for the Filtration of the DWD Spring System; we need to complete form to send to NYS to receive a SAM Grant Number; Jeff Francisco is researching other options for more funding.
- NYSEG- Small Business Energy Efficiency Program for the Cooks Falls Highway Garage Project getting ready to start replacing lights.
- Talked with Delaware County Planning Dept. (Tyson Robb & Spencer DeVaul) in regards to GIS Solutions; meeting with them again.

Supervisor Merrill reported that Delaware Opportunities has sent us a project to approve for the NYS CDBG Project #260CRF-HR113-14 Program, Housing Rehabilitation Grant; Del. Opp. has approved bid for File No.CTRCD-04 to D&N Improvements in the amount of \$15,765.00; the Community Development Specialist estimated the total cost of the project at \$15,792.00; Supervisor commented that the maximum is \$25,000 for each property. Board discussed.

NO. 14-2016 01/20/16 CDBG #260CRF-HR113-14 Board Approval No.CTRCD-04

Upon recommendation of Delaware Opportunities Inc., Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby approves File No.CTRCD-04 for the CDBG Project #260CRF-HR113-14, Housing Rehabilitation Grant and hereby authorize Supervisor Arthur M. Merrill to sign said grant approval in the amount of \$15,765.

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

Supervisor reported that the time period for the permissive referendum has ended and there were no petitions against the transfer of funds from the Capital Reserve Fund for a new police vehicle; the Police Dept. has been researching other options as the price came in 2% higher than anticipated; they have found a Ford vehicle for about \$10,000 less; they will submit the quote for the anticipated police vehicle at the next meeting.

Officer Rich Pagillo gave an update on the Police Department Narcotics Detection Police Service Dog: there is a lot of incorrect information out there, so he would like to have a public meeting next month; possibly a greet & meet with all the Police Officers either at the fire hall or school; would like to have a demonstration with a police dog and the dog trainer; we have received the donated cage; vet is on board; Tractor Supply has to wait to see what kind of dog we receive and what type of food it will need. Supervisor added that the SUNY Vet is only available during business hours. Councilwoman Markert questioned if the dog went to another Town, how we would get reimbursed and what about overtime; also questioned injury and liability. Board discussed police service dog further. It was agreed that a protocol needed to be developed and also an inter-municipal agreement for the service of the dog and the handler. Supervisor commented that the February training will have gone by before the Board makes a decision. Officer Pagillo replied that there are 3-4 trainings a year in Texas; they have dogs that are already trained; the handler would have to go to Texas for 3 weeks to learn how to handle the dog; once we come back the dog must be NYS DCJS certified

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

CEO Tom Zampolin discussed with the Board the issue of updating our building permit fee schedule; Board suggested that the fees do need to be addressed and should be kept simple for everyone; Board also likes the idea of square footage vs. value. CEO will submit a new fee schedule by types for the Board to review and approve.

Councilman Lavorgna reported that he had spoken with NYSDEC in regards to outdoor furnaces; DEC has a nuisance regulation/prohibition that states: "No person may cause or allow air contaminants from an Outdoor Wood Boiler which interferes with the comfortable enjoyment of life or property"; if there is a complaint the CEO can go on the site; DEC suggests to keep track of instances/complaints. Supervisor replied that all the OWB have been permitted and met the requirements; he and the CEO have talked and not sure if raising the stacks will solve the problem; we're not ready to involve DEC at this time.

Supervisor Merrill reported that we have received an application for a Public Facility Permit; the American Legion Auxiliary would like to have a soup sale as a fund raiser on Sat., April 2nd at the Pepacton Park. Board discussed.

NO. 15-2016 01/20/16 Public Facility Permit No.01-2016

Janet Champlin made the following resolution:

WHEREAS, Ramona Wachtler on behalf of the James S. Moore Unit #167 American Legion Auxiliary has applied for a Public Facility Permit to use the Pepacton Park located at 15500 State Hwy 30, on Saturday, April 2nd from 10:00AM to 2:00PM for American Legion Auxiliary Fund Raiser (soup sales);

THEREFORE BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the Town Clerk to issue Public Facility Permit No.01-2016 to the James S. Moore Unit #167 American Legion Auxiliary for the use of the Pepacton Park located at 15500 State Hwy 30, Downsville, NY on April 02, 2016.

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

Supervisor reported that he received an email from County Personnel; Krista Baxter is eligible to be appointed from the Certification of Eligibles as a competitive permanent part-time police officer; this must be done prior to 1/21/16 as that is the date the eligible list expires; apparently we need to re-appoint her and Rich Pagillo with the proper verbiage. Board discussed.

NO. 16-2016 01/20/16 Permanently Appoint Richard A. Pagillo as Police Officer

Greg Lavorgna made the following resolution:

WHEREAS, on December 18, 2013 the Town Board of the Town of Colchester appointed Richard A. Pagillo as a Part-Time Police Officer; and

WHEREAS, on November 15, 2014 Richard A. Pagillo took and passed the Police Officer Exam for Delaware County Residents, placing him on the Civil Service List; and

WHEREAS, on December 02, 2015 the Town Board permanently appointed Richard A. Pagillo as a Full-Time Town of Colchester Police Officer;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Town Board hereby authorizes Supervisor Arthur M. Merrill to complete the required Delaware County Personnel form, which removes Richard A. Pagillo from the Delaware County Certified Civil Service Police Officer Certification of Eligibles List as a competitive permanent full-time police officer.

Resolution was seconded by Janet Champlin, all in favor, resolution declared adopted.

NO. 17-2016 01/20/16 Re-Appoint Krista R. Baxter as Part-time Police Officer

Greg Lavorgna made the following resolution:

WHEREAS, on August 05, 2015 the Town Board of the Town of Colchester appointed Krista R. Baxter as a Part-Time Police Officer to sponsor her in the next available Police Academy; and

WHEREAS, on November 15, 2014 Krista R. Baxter took and passed the Police Officer Exam for Delaware County Residents, placing her on the Civil Service List;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes Supervisor Arthur M. Merrill to complete the required Delaware County Personnel form, which removes Krista R. Baxter from the Delaware County Certified Civil Service Police Officer Certification of Eligibles List as a competitive permanent part time police officer.

Resolution was seconded by Janet Champlin, all in favor, resolution declared adopted.

Councilwoman Champlin commented that someone is continuing to park overnight at Pepacton Park. Supervisor replied that he will contact them.

Supervisor Merrill made the following announcements:

- Next Regular Board Meeting Wed., February 03, 2016.

Councilwoman Markert commented that there seems to be a water run-off issue on the end of Montgomery Avenue. Supervisor replied that this has been addressed but may not be complete.

SUBMISSION OF BILL/EXPENSES: Janet Champlin made the motion, seconded by Mark Mattson, that the vouchers be approved, subject to any corrections or deletions, all in favor, motion carried. Abstract No.01-2016; Voucher No.01-29; Totaling \$79,323.63.

Councilwoman Markert inquired to the reason of two Police Officers attending basketball games? Supervisor replied that two weeks ago the Officers made an appearance at the game before the Town Board Meeting for Community Support; not done on a regular basis. Councilwoman Markert also inquired about two officers on during the winter months? Supervisor replied that the schedule is being looked at. Supervisor added that the revenues of the Justices and Police have doubled in 2015 as a reflection of increased police force.

With no further business, Greg Lavorgna made the motion for adjournment, seconded by Mark Mattson, all in favor, motion carried. Meeting adjourned at 8:10 PM.

Respectfully Submitted:

Julie B. Townsend
Town Clerk