

February 01, 2017

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, February 01, 2017 at 7:00 PM at the Town Hall.

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

Recording Secretary: Julie B. Townsend                    Town Clerk

Others present: Kenneth R. Eck, Jr.-Highway Supt., Michael P. DeGroat-Town Attorney, Officer Cawley, Jeff Francisco-Delaware Engineering, Joan Homovich, Alan Donner and Bonnie Seegmiller.

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, January 18, 2017 had been distributed earlier. Janet Champlin made the motion to accept the minutes as written, seconded by Greg Lavorgna, all in favor, motion carried.

GUESTS: Jeff Francisco of Delaware Engineering reported that he will be stopping by tomorrow to get some more information for the engineering report; trying to get in contact with Ron MacDonald; there are many steps and documents to complete for the DWD Improvement Project. Supervisor reported that we need to name a Minority Business Officer. Mr. Francisco added that this person will need to sign documents that the Consultant has completed; we have to meet the 20% minority condition to be eligible for funding; the Consultant and Bond Council will satisfy most of the requirement. Board discussed.

NO. 18-2017 02/01/17                    Minority Business Officer

Janet Champlin made the following resolution:

Whereas, the Town of Colchester is committed to Equal Opportunity for all of its citizens; and

Whereas, the Town commits to providing such Equal Opportunity in its projects, as well;

THEREFORE, BE IT RESOLVED that the Town of Colchester shall comply with the provisions of the Minority & Women's Business Enterprise – Equal Employment Opportunity (MWBE-EEO) requirements of Article 15-A of the New York State Executive Law, 40 CFR Part 33, and other requirements as prescribed by the law; and further

FURTHER RESOLVED, that the Town Board shall name Supervisor Arthur M. Merrill as its Minority Business Officer.

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

Supervisor reported that we need a public hearing and special meeting before March 1<sup>st</sup> as that is the deadline to submit an application for DWSRF assistance for project financing of the DWD Improvement Project. Town Attorney reported that Bond Council has suggested bonding the complete project plus a contingency; we have a \$191,000 grant and \$127,000 long term loan (loan needs to be used first); we are not sure what bids will come in at; we may want to consider a Bond Anticipation Note to get thing going (pay engineering). Supervisor read the proposed resolution Board discussed.

A RESOLUTION AND ORDER CALLING A PUBLIC HEARING TO BE HELD ON  
FEBRUARY 21, 2017 AT 7 P.M. REGARDING A WATER SYSTEM IMPROVEMENT  
PROJECT FOR THE DOWNSVILLE WATER DISTRICT, IN THE TOWN OF  
COLCHESTER, IN THE COUNTY OF DELAWARE, STATE OF NEW YORK, PURSUANT  
TO SECTION 202-b OF THE TOWN LAW

WHEREAS, the Town Board of the Town of Colchester (herein called "Town Board" and "Town", respectively, in the County of Delaware, New York, on behalf of the Downsville Water District, in the Town (herein called "District"), requested Delaware Engineering, P.C., engineers duly licensed by the State of New York (herein called "Engineer") to prepare a preliminary engineering report for the improvement of facilities of the District, consisting of water system improvements as described in the Engineer's Preliminary Engineering Report prepared by Delaware Engineering, P.C. dated February 2017. Such improvements include construction of a new water filtration plant for the existing spring source, and including original furnishings, equipment, machinery and apparatus required therefor, and pursuant to the direction of the Town Board, the Engineer has completed and filed with the Town Board such engineer's report for the improvement of facilities of the District; and the Engineer has estimated the total cost thereof not to exceed \$350,000;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. A public hearing of the Town Board of the Town shall be held at the Town Hall in the Town on February 21, 2017 at 7 o'clock p.m. (Prevailing Time) to consider said improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law;
2. The Town Clerk shall publish at least once in The Reporter, a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication, and post on the signboard of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a notice in substantially the form attached hereto, the first publication thereof and posting to be not less than ten (10) days or more than twenty (20) days before the date of such public hearing.
3. That the Town Board of the Town of Colchester will hold a Special Meeting immediately following the Public Hearing to consider a Bond Resolution in the amount not to exceed \$350,000 and any other business brought forth to the Town Board.
4. This Resolution shall take effect immediately.

Resolution was seconded by Julie Markert.

This resolution was put to a vote by roll call and resulted as follows:

Town Supervisor, Arthur M. Merrill	voting aye
Councilperson, Mark W. Mattson	voting aye
Councilperson, Julie A. Markert	voting aye
Councilperson, Janet L. Champlin	voting aye
Councilperson, Gregory L. Lavorgna	voting aye

The resolution was declared to be duly adopted by the members of the Town Board of the Town of Colchester.

VISITOR COMMENTS: Alan Donner praised the Highway Dept. for the good winter maintenance job they have done on Fuller Hill Road and Horton Brook Road.

## CORRESPONDENCE:

- NYSDOH- Lead/Copper Rule- 2 results exceeded the lead “action level” of 0.015 mg/l and 12 exceeded the copper “action level” of 1.3 mg/l- therefore a new corrosion control treatment proposal must be submitted by March 17, 2017 for review and approval.
- Lib Karl- thank you so much for the chair lift to the library and historical society.
- Delaware Opportunities- 2016 Annual Report.
- Catskill Recreation Center- Cross Mountain Crusher Gravel Grinder is scheduled for Sat., April 29<sup>th</sup>- information is available on their website.
- Catskill Center- February 2017 Schedule of Events.
- Delaware Liquor License Services- Letter on behalf of The Red Rose Motel LLC requesting a 30-day notice waiver on their application for their On-Premises Alcoholic Beverage License; for the consumption of beer, cider and wine on premises. CEO has reported that building is up to code. Board discussed.

NO. 20-2017 02/01/17 Grant Waiver to The Red Rose Motel LLC

Julie Markert made the following resolution:

WHEREAS, The Red Rose Motel LLC has sent the Town of Colchester a Letter of Intent to apply for a new application for an On-Premises Alcoholic Beverage License; and

WHEREAS, pursuant to Section 64, subdivision 2a of the Alcohol Beverage Control Law and in accordance with the Rules and Regulations of the New York State Liquor Authority a 30-Day Advance Notice must be submitted to the Town Clerk; and

WHEREAS, The Red Rose Motel LLC has requested a 30-day waiver, allowing them to file their new application right away instead of waiting for the 30-Day Advance Notice Regulation, hence expediting the license process;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester does hereby grant a 30-Day Waiver to The Red Rose Motel LLC located at 3292 Old Route 17, Roscoe, New York 12776 and wishes them well in their new business enterprise.

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

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

- Town Justice Edel- January 2017.
- Historian- 2016 Annual Report.

Supervisor Merrill reported that we have received the final funds for the CDBG-Housing Rehabilitation Program and Delaware Opportunities has been paid in full; Project is completed.

Supervisor presented to the Board his draft response letter to the State Comptroller’s Office in regards to their 2016 Town Audit.

Supervisor Merrill commented that you are aware that Officer Ernie Cawley had a fire that destroyed his garage which had his police gear into; last meeting we ordered a police Taser and holster from TASER International in the amount of \$1,820.16; we have a \$500 deductible with the insurance claim; do we want to submit. Board discussed. Board agreed that they would like to submit the claim.

Supervisor reported that a citizen’s mobile home was damaged when the Town was brush cutting; minor damage was done to the mobile home; the home owner submitted an estimate for repairs; since then the home owner has had the mobile home removed and replaced with a new one; what would the Board like to do? Board discussed and agreed to hold off on any payment.

Supervisor Merrill reported that Mostert, Manzanero & Scott LLP will be here February 7<sup>th</sup> & 8<sup>th</sup> to perform the Town’s 2016 Audit.

Highway Supt. Kenneth Eck reported that we have had an ongoing issue at the Cooks Falls Garage for many years; it can only house little trucks; cannot place a tandem truck inside; he would like to kick out one back wall to house a tandem truck; a 28' by 20' addition. Supervisor added that the roof needs repairing and should be added to project. Board discussed and agreed that they would like estimates before making a decision.

Highway Supt. Kenneth Eck reported that he would like to replace Truck #120, a 1999 International Dump Truck; he submitted a quote from Tracey Road Equipment, Inc. for a 2017 Freightliner; Oneida County Bid#1879 and #1751; total cost is one thousand dollars more than the truck we got last year. Board discussed.

NO. 21-2017 02/01/17 2017 Freightliner and Plow Equipment

Julie Markert made the following resolution:

WHEREAS, General Municipal Law 103 Subdivision 16 authorizes governments to purchase apparatus, materials, equipment and supplies through the use of contracts let by United States or any agency thereof;

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby accepts the Bid Reference Piggy Back Oneida County RFB-1879 of Tracey Road Equipment for a 2017 Freightliner 114SD Cab & Chassis for the price of \$112,143.00;

BE IT FURTHER RESOLVED, that the Town Board of the Town of Colchester hereby accepts the Bid Reference Piggy Back Oneida County RFB-1751 of Tracey Road Equipment for a 14'Duraclass HPT-316 plow equipment and all season box to be neatly installed on the 2017 Freightliner Chassis for the price of \$74,575.00;

FURTHER RESOLVED that the Town Board of the Town of Colchester hereby authorizes the purchase of one 2017 Freightliner Truck with Duraclass plow equipment and all season box for the total price of \$186,718.00, pending verification of Piggy Back Oneida County and/or State Bid.

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

Supervisor Merrill made the following announcements:

- Next Regular Board Meeting Wed., February 15<sup>th</sup> at 7PM.
- Public Hearing and Special Meeting for the DWD Project DWSRF#17357 is Tuesday, February 21<sup>st</sup> at 7PM.
- Community Advisory Meeting Thurs, February 9<sup>th</sup> at 6PM.

SUBMISSION OF BILL/EXPENSES: Mark Mattson made the motion, seconded by Julie Markert, that the vouchers be approved, subject to any corrections or deletions, all in favor, motion carried. Abstract No.02-2017 Voucher No.38-63; Totaling \$22,262.81.

Greg Lavorgna made the motion to go into executive session to discuss police dept. issues, seconded by Janet Champlin, all in favor, motion carried. Board entered executive session at 7:53 PM. Officer Cawley and Town Attorney were invited to stay. Board held discussion. Mark Mattson made the motion to enter back into regular session, seconded by Greg Lavorgna, all in favor, motion carried. Board entered regular session at 8:10 PM. Board made no decision forthcoming.

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