

March 04, 2015

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, March 04, 2015 at 7:00 PM at the Town Hall.

Present: Arthur M. Merrill Supervisor
Mark W. Mattson Councilman entered at 7:05PM
Julie A. Markert Councilwoman
Gilbert D. Close Councilman
Janet Champlin Councilwoman

Recording Secretary: Julie B. Townsend Town Clerk

Others present: Kenneth R. Eck, Jr.-Highway Supt., Jeff Francisco-Delaware Engineering and Rhonda Murphy.

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, February 18, 2015 had been distributed earlier. Janet Champlin made the motion to accept the minutes as written, seconded by Gilbert Close, Janet Champlin-aye, Gilbert Close-aye, Julie Markert-aye, Arthur Merrill-aye, Mark Mattson-absent, motion carried.

VISITOR COMMENTS: Jeff Francisco of Delaware Engineering inquired if we had heard anything from the NYS 2014 Catskill Smart Growth Implementation Grant regarding the two grants submitted for the CFWD and DWD? Supervisor replied that we have had no response; we are going to move forward with the CFWD project, therefore we need a plan; we may want to crunch numbers for Downsville also. Jeff Francisco commented that he hopes to have something for the next meeting.

Rhonda Murphy inquired to what was going on with the DWD; nothing is being done for the frozen water lines; tired of being lied to and did not appreciate the conversation that was held in her basement. Supervisor replied that the DWD has only three water lines that were frozen: Daddio, Vobelt and Riecken/Murphy.

Councilman Mark Mattson entered the meeting at 7:05PM.

Supervisor added that Daddio is done; having issues with Vobelt's; they went to your place to assess and determined it would be more safe to come back the next day; you did not handle things properly and it did not help the situation when you made all kinds of phone calls and posting on facebook; we have been in contact with the Dept. of Health and have been trying to get someone in with the proper equipment to thaw the water lines; it will be a 50/50 cost; they are charging \$400 to come in and then \$100 an hour; it is the homeowners responsibility; it took us ten days to find someone; other towns are having the same situation and this has been the coldest winter in many years; other DWD customers were not worried about getting their water lines un-frozen; we had notices out for the last four weeks telling customers to let their water trickle; we have offered the highway garage for getting water and taking showers. Board discussed further.

CORRESPONDENCE:

- Town of Middletown Planning Board- A Resolution to Support a line in the Budget for the Catskill Park. Supervisor commented that he was not in support of this because not all of the Catskill Park is in the Watershed.
- CWC- Annual Meeting is April 7th at 1PM.
- MTC- Pending Rate Adjustments as of April 1, 2015 for MTC Cable.
- Town of Middletown Supervisor Marjorie Miller- Workman's Compensation paid through Delaware County's Self-insurance Fund; why is Colchester and Middletown the highest with fewer employees.

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

- Cooks Falls Water District- February 2015- 13 customers balance due \$655.00; Receipts of \$700.00 disbursed to Supervisor.
- Downsville Water District- February 2015- 41 customers balance due \$2,184.84; Receipts of \$1,471.76 disbursed to Supervisor.
- Town Clerk- February 2015- Total disbursed \$735.00 of which \$717.00 was Town revenues.
- Town Justice Arthur C. Edel- February 2015.
- Tax Collector- February 2015- 2099 Transactions -Base Tax Total \$6,082,452.81- 72% Paid.

Board discussed the purchase of two rotary lifts for the highway garage. Board and Highway Supt. decided that the purchase could wait until the end of the year if funds are still available.

Supervisor reported that we have received an application for a Public Facility Permit; a young couple would like to use the Covered Bridge Park for a wedding ceremony on Friday at noon; they wanted to have the ceremony on the bridge; Supervisor stated that was not allowed; Town Justice DeRosia is performing the ceremony. Board discussed.

NO. 26-2015 03/04/15 Public Facility Permit No.04-2015

Janet Champlin made the following resolution:

WHEREAS, Suzanne Paduani has applied for a Public Facility Permit to use the Covered Bridge Park located at 48 Bridge Street on Friday, March 6th at Noon for brief wedding ceremony;

THEREFORE BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the Town Clerk to issue Public Facility Permit No.04-2015 to Suzanne Paduani for the use of the Covered Bridge Park parking lot located at 48 Bridge Street, Downsville, NY.

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

Supervisor Merrill commented that he had two items he would like to discuss with the Board. The first item was the "Municipal Cooperation Agreement for the Creation of the Upper Delaware River Tailwaters and Tributaries' Task Force". The Task Force members are the municipalities in the Upper Delaware River Tailwaters Coalition (UDRTC); they hope to add those from Sullivan County, Pennsylvania; they would like to apply for grants to design a mitigation plan; they are getting a lot of support; Congressman Chris Gibson is on board; meeting being scheduled with Paul Rush of NYCDEP and another meeting in NYC; membership contribution is one hundred dollars; our Town Attorney has reviewed and has questioned limitations (item 9p) regarding budget; wording has been changed; we may get out of the Task Force anytime; NYSDEC is considering giving permits to do river cleanout. Board discussed.

NO. 27-2015 03/04/15 Municipal Cooperation Agreement for the Creation of the Upper Delaware River Tailwaters and Tributaries' Task Force

Mark Mattson made the following resolution:

BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorize Supervisor Arthur M. Merrill to sign the Municipal Cooperation Agreement between the Town of Colchester, NY and other Governmental Members to create the Upper Delaware River Tailwaters and Tributaries' Task Force, an intermunicipal organization committed to developing and implementing science-based initiatives and polices that enhance the local economy, the cold water fishery, and recreational opportunities, and mitigate flooding in the Upper Delaware River Tailwaters and Tributaries Region.

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

Supervisor commented that the second item is to support the UDRTC's modifications to the Operation System Tool/Flexible Flow Management Plan; we combined last year's resolution with the County's resolution. Supervisor read the proposed resolution and Board discussed.

NO. 28-2015 03/04/15 SUPPORT FOR THE MODIFICATIONS TO THE OPERATION SYSTEM TOOL/ FLEXIBLE FLOW MANAGEMENT PLAN (OST/FFMP) THE UPPER DELAWARE RIVER TAILWATERS COALITION (UDRTC) HAS ENDORSED

Gilbert Close made the motion, seconded by Julie Markert, that the following resolution be adopted:

WHEREAS, the OST/FFMP has produced a number of incremental improvements in water releases to the river since its inception in 2008, there remains an opportunity to improve upon those management decisions for the economic and ecological benefit of communities and the fishery below the reservoirs; and

WHEREAS, the OST/FFMP, the current 1954 Decree Party Plan, that dictates the release of water from the Pepacton, Cannonsville and Neversink reservoirs for various purposes, may be extended as is or revised by June 1, 2015; and

WHEREAS, the Upper Delaware River Tailwaters Coalition was formed to represent the interests of the Towns of Colchester, Deposit, Hancock and Tompkins, the Villages of Deposit and Hancock, and The Friends of the Upper Delaware River through the promotion of sustainable and consistent releases from the Delaware River Basin Reservoirs to improve local economic and environmental conditions, enhance recreational attributes of the cold water portion of the river, and strengthening resiliency to flooding impacts and benefit the needs of all parties downstream; and

WHEREAS, the UDRTC has a vested interest in modifications to the OST/FFMP because of direct impacts of decisions by the OST/FFMP on them; and

WHEREAS, the negotiations for changes to the OST/FFMP is not an open process it is important to provide comments prior to the negotiations in an attempt to promote or influence changes by the Decree Parties; and

WHEREAS, water releases from the Cannonsville, Pepacton and Neversink reservoirs directly impact municipalities below the dams related to:

- the social-economic impacts resulting from flooding,

- the positive economic impacts of a world renowned cold water fishery and other recreational attributes,
- inadequate sediment transport yielding unnatural sediment depositions affecting the tributaries to the East and West Branches of the Delaware and its main stem.

WHEREAS the Town of Colchester recognizes and appreciates the complexities involved in the management of the Delaware basin reservoirs and the need to address the interests of multiple stakeholders and in consideration of said complexities believes the UDRTC positions will help improve river based economic and ecological conditions in their communities and the County in total.

NOW, THEREFORE, BE IT RESOLVED the Town of Colchester supports the position of the UDRTC for modifying the OST/FFMP and public process and requests that the Decree Parties give full and reasonable consideration for proposed modifications as follows:

- A new Thermal Program to cool water temperatures during heat waves
- New language that commits to improved releases from Delaware reservoirs once Croton system goes back online
- Smoother directed releases
- Spread out directed releases to Pepacton and Neversink reservoirs when possible (not just the Cannonsville)
- A one year only extension of the OST/FFMP until the impacts of the Croton system can be evaluated
- Establishment of a public comment opportunity in this process
- DRBC Regulated Flow Advisory Committee meeting prior to May 1, 2015

BE IT FURTHER RESOLVED this resolution also be forwarded to the Decree Party Members (Governors of PA, NY, NJ and DE, NYC Mayor), Decree Party Principals, Delaware River Congressional Task Force, the Delaware River Basin Commission and Executive Director, US Senator Kirsten Gillibrand, US Senator Charles Schumer, Congressman Chris Gibson, NYS Assemblyman Clifford Crouch and NYS Senators John Bonacic and Tom Libous.

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

Town Supervisor, Arthur M. Merrill	voting aye
Councilperson, Janet Champlin	voting aye
Councilperson, Gilbert D. Close	voting aye
Councilperson, Julie A. Markert	voting aye
Councilperson, Mark W. Mattson	voting aye

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

Supervisor Merrill reported that the Del. Co. Board of Supervisors is having issues with all the NYS mandates.

Councilwoman Markert commented that she has had complaints that the sidewalks on Maple Ave. are not cleaned; students walking to school are walking in the road; also that of the health food store and the old pharmacy building. Supervisor replied that they have within 12 hours of snow stop falling to clear the sidewalks and for a while it didn't stop falling.

Councilwoman Markert also commented that the highway garage is pretty dirty; does the custodian need something like a shop-vac to clean the floors? Discussion held.

Supervisor Merrill made the following announcements:

Next Board Meeting-Wed., March 18, 2015 at 7:00 PM

SUBMISSION OF BILL/EXPENSES: Gilbert Close made the motion, seconded by Janet Champlin, that the vouchers be approved, subject to any corrections or deletions, all in favor, motion carried. Abstract No.05-2015; Voucher No.112-141; Totaling \$33,794.99.

With no further business, Janet Champlin made the motion for adjournment, seconded by Mark Mattson, all in favor, motion carried. Meeting adjourned at 8:40 PM.

Respectfully Submitted:

Julie B. Townsend
Town Clerk