

March 18, 2015

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, March 18, 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 L. Champlin Councilwoman
Recording Secretary: Julie B. Townsend Town Clerk

Others present: Michael P. DeGroat-Town Attorney, Jeff Francisco-Delaware Engineering, Mr. & Mrs. Alan White-Catskill Park Coalition, Scott J. Payne-Walton Reporter, Bonnie Seegmiller, Alan Donner, Rich Pagillo, Pio DeRoda, Kathryn Mattson, Greg Lavorgna, Alan Donner, Louie Banker and Maureen Pedersen.

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, March 04, 2015 had been distributed earlier. Gilbert Close made the motion to accept the minutes as written, seconded by Janet Champlin, Gilbert Close-aye, Janet Champlin-aye, Julie Markert-aye, Arthur Merrill-aye, Mark Mattson-absent, motion carried.

Councilman Mark Mattson entered meeting at 7:05PM.

Alan White of the Catskill Park Coalition addressed the Board with their concerns of building a better Catskill Park: comprehensive planning; public access; forest preserve stewardship; integrating tourism service businesses with public land opportunities; funding to build a modern park. They are asking for support from four counties: Delaware, Greene, Sullivan and Ulster to pass a resolution to show support of NYS securing funding to conduct a planning process for a Catskill Park Recreation Plan. They are asking the three Towns in Delaware County: Andes, Colchester and Middletown to go to the County for a resolution to show support for dedicated annual funding from the NYS Environmental Protection Fund to ensure that the growing acreage of NYC watershed lands are integrated into a recreational strategy that provides economic leverage while protecting our most vital resource, the NYC Watershed. Supervisor commented that he is going to the County Planning Board meeting and will relay these concerns.

Jeff Francisco of Delaware Engineering submitted a budget for the CFWD Water System Rehabilitation Project: estimated project budget cost is \$71,900 less DWSRF Fund Balance \$62,057.26 leaves us with \$9,842.74 not covered under grant; he recommends that we go out to bid and see how the bids come in. Mr. Francisco then presented a budget for the DWD Water System Rehabilitation Project; estimated project budget cost of \$96,950. Supervisor thanked him for his presentation and commented that we will make a decision very soon.

VISITOR COMMENTS: Joan Homovich commented that she had seen that the Town Board adopted a resolution last meeting "Support for the Modifications to the Operation System Tool/Flexible Flow Management Plan (OST/FFMP) the Upper Delaware River Tailwaters Coalition (UDRTC) has Endorsed"; she asked if there was an amount of increase discharge was determined for Pepacton? If you're modifying the charts, where are you targeting? Supervisor replied that the UDRTC has not given numbers; proposed that they look at the general numbers; we want them to look to modify the flow to be more consistency, not up and down.

CORRESPONDENCE:

- Keith Gavette- Letter of Resignation as Town of Colchester Police Officer effective the end of March 2015; he is now employed by the Delaware County Sherriff's Office.

NO.29-2015 03/18/15 Accept Letter of Resignation Keith Gavette

Julie Markert made the following resolution:

WHEREAS, on March 11, 2015 a letter of resignation was presented to Officer in Charge Rich Pagillo from Keith Gavette as Police Officer;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby accepts said Letter of Resignation from Keith Gavette as a Town of Colchester Police Officer effective March 31, 2015;

FURTHER RESOLVED that the Town Board hereby thanks Keith for his service to the township and wishes him well future endeavors.

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

- Delaware County Planning Dept. - Notice to post regarding 8-year reviews of Ag district #6- "30-Day Period for Public Review of Agricultural District #6 in the Town of Hancock, Colchester & Hamden".

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

- Town Justice Edward J. DeRosia III- February 2015.

Supervisor reported that there is nothing new on the FEMA Projects; we did receive a phone call from OEM inquiring why one of our projects in the amount of \$500,000+ had not been closed out; Supervisor replied to them that we have done everything and are waiting for our funds.

Supervisor Merrill commented that we heard from Jeff Francisco in regards to the CFWD Water System Rehabilitation Project; we will be \$10,000 short; we do have a small surplus for CFWD; Supervisor suggests that we do the project. Board discussed.

NO. 30-2015 03/18/15 Bid CFWD Water System Rehabilitation Project

Janet Champlin made the following resolution:

WHEREAS, the Cooks Falls Water District proposes to construct a new water storage tank with a new flow metering system; and

WHEREAS, the Cooks Falls Water District has \$62,057.26 remaining in their DWSRF Fund Balance; and

WHEREAS, Delaware Engineering has submitted a grant application for funding from the Catskill Park Smart Growth Implementation Grant for said project; and

WHEREAS, the Town of Colchester has designate itself as lead agency and has conducted a SEQR Review; and

WHEREAS, the Town has entered into agreement with Delaware Engineering for engineering services for the CFWD Water System Rehabilitation Project;

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby gives authorization to Delaware Engineering to prepare bid documentation and advertise for bids for the CFWD Water System Rehabilitation.

Resolution was seconded by Gilbert Close, all in favor, resolution declared adopted.

Board held a discussion on the proposed project for the DWD; Board agreed to wait and see what happens with their application to the Catskill Park Smart Growth Implementation Grant.

Supervisor commented that things are moving forward with the CDBG Housing Rehabilitation Program that is being administered by Delaware Opportunities.

Supervisor Merrill reported that all the paperwork has been submitted to DASNY for the SAM Grant; we have been approved for \$50,000 for the replacement of the salt shed; Michael O'Reilly of Cedarwood has submitted designs and now is working on the bid documents. Board reviewed salt shed design and discussed.

Supervisor reported that he and Pio DeRoda will be going to Roxbury on Friday to receive the Roxbury Arts Group Grant Contract for the Streetscape Art Project.

Supervisor Merrill reported that it had been discovered that there have been some taxpayers omitted from the Downsville Lighting District; Supervisor read the proposed resolution. Town Attorney explained some of the reason why they may have been omitted and stated that it was not intentional. Board reviewed the lighting district map and discussed.

NO. 31-2015 03/18/15 Downsville Lighting District

Janet Champlin made the following resolution:

WHEREAS, when the Village of Downsville was dissolved in the Year 1950 and the Downsville Lighting District was then created; and

WHEREAS, said lighting district has the same boundaries as the boundaries of the Village of Downsville; and

WHEREAS, on September 24, 1956, the Town Board approved that the Downsville Lighting District be extended to include the "Brooklyn side of the Village" (District across the river); and

WHEREAS, for some unforeseen reasons not all tax parcels within said lighting district were assessed with the special district;

THEREFORE, BE IT RESOLVED, that the following nine Tax Map Parcels shall be added to the assessment of the Downsville Lighting District:

JMF LLC...339.-1-28.2 Markert...358.-1-3 Efrain...358.-1-12

Stanton...358.2-2-48 Nead...358.2-2-49 Orha-Matray...358.2-2-51

Jones...358.2-4-24 Townsend...358.4-1-10 Verona Family Partnership...358.2-5-11

FURTHER RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Gerald P. Merrill, Assessor Chairman, to submit said list of Tax Map Parcels to the Delaware County Real Property Tax Services to be added to the Downsville Lighting District, Code LT402, assessment effective for the 2016 Tax Roll.

Resolution was seconded by Gilbert Close, all in favor, resolution declared adopted.

Supervisor reported that last November the Town of Hancock submitted a letter and Board Resolution for "Shared Training costs for Code Enforcement Officer"; we decided to wait until the new year and discuss further; in 2014 Colchester's CEO Thomas Zampolin also worked for the Town of Hancock and we paid for the training and dues; Town of Hancock is paying in 2015; Supervisor read the proposed resolution. It was suggested that we split the costs next year, 2016, to keep each town's budget in perspective. Board discussed.

NO. 32-2015 03/18/15 CEO Inter-municipal Agreement with Colchester & Hancock
Julie Markert made the following resolution:

WHEREAS, Thomas R. Zampolin has been employed by the Town of Hancock and the Town of Colchester as their Code Enforcement Officer; and

WHEREAS, the Town of Hancock and the Town of Colchester desire to share the training costs of the Code Enforcement Officer that serves each Town; and

WHEREAS, New York State encourages that Shared Services venture be investigated and implemented;

THEREFORE, BE IT RESOLVED, that as long as the arrangement exists between the Town of Colchester and the Town of Hancock to utilize the same Code Enforcement Officer, Thomas R. Zampolin, the training and associated costs shall be shared between the Towns' as follows:

Town of Hancock- training and associated costs in odd years

Town of Colchester- training and associated costs in even years

BE IT FURTHER RESOLVED, that should some unforeseen circumstance arise that the training costs are imbalanced in particular years then it should be made equitable in future payments so the costs are fairly distributed to each municipality;

NOW, BE IT FURTHER RESOLVED, that the Town Board of the Town of Colchester hereby authorizes the Town Supervisor to sign an Inter-municipal Agreement for shared services with the Town of Hancock and also allows the Town Supervisor to make minor changes to the agreement should the need arise, and communicate the same with the Town Board of the Town of Colchester.

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

Supervisor commented that the Roscoe-Rockland Fire District will need to be contacted to discuss the renewal of the Colchester Fire Protection District; their five year contract runs out this year; we will need to figures for the 2016 Budget.

Supervisor Merrill reported that last year the Union Highway Workers inquired about joining NYS Disability; we signed up with First Rehab Life for the Union Workers and they paid for this each pay period; it is time to renew the program; it was determined during negotiations that the Town would pick up the cost starting Jan. 2015; since the Town is paying the cost, this should be offered to all full-time employees. Board discussed. Board agreed that this benefit should be offered to all full-time employees; further discussion was held on part-time employees; elected officials or contracted employees will not be covered. Board agreed to include part-time employees and a minimum requirement for eligibility would need to be determined.

NO. 33-2015 03/18/15 NYS Statutory Disability Benefit

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to complete the Master Application and to enter into contract with Shelter Point Life Insurance Co. of Great Neck, NY 11021 for the administration of the Town's NYS Statutory Disability Benefit.

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

Supervisor Merrill made the following announcements:

Next Board Meeting-Wed., April 01, 2015 at 7:00 PM

Councilwoman Markert commented that she had received notice of a DEC Press Release regarding "Draft Bear Spring Mt. Campground Unit Management Plan Released for Public Comment"; she gave a copy of notice to Board Members.

Councilman Mattson inquired on the C&D overage bill. Supervisor replied that the C&D cost is a percentage compared to normal household garbage; Supervisor will take with Solid Waste Director Sue McIntyre and also ask why we are getting bills for the 3rd & 4th quarters of 2014 now, we have closed our books and auditors have been here. Councilman Mattson suggested that we get the C&D bin covered at the transfer station.

SUBMISSION OF BILL/EXPENSES: Janet Champlin made the motion, seconded by Gilbert Close, that the vouchers be approved, subject to any corrections or deletions, all in favor, motion carried. Abstract No.06-2015; Voucher No.142-171; Totaling \$62,121.91.

Gilbert Close made the motion to go into executive session upon recommendation of the Supervisor to discuss Police Personnel and possible litigation issues, seconded by Julie Markert, all in favor, motion carried. Board entered executive session at 8:30 PM. Town Attorney and Officer Pagillo were invited to stay. Board held discussion. Julie Markert made the motion to enter back into regular session, seconded by Gilbert Close, all in favor, motion carried. Board entered regular session at 9:03 PM. Board held discussion and adopted the following resolution.

NO. 34-2015 03/18/15 Appoint Part-time Police Officer

Janet Champlin made the following resolution:

WHEREAS, the Town Board of the Town of Colchester recognizes the need of continuing its Police Dept. for the safety and welfare of its residents; and

WHEREAS, the Town Board of the Town of Colchester recognizes the need of Part-time Police Officers for the future of the Police Dept.;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby appoints the following certified officer, Tahir Haqq of Franklin, NY 13775, as a Town of Colchester Part-time Police Officer pending an interview with the Police Committee and completion and submission of all necessary forms at the pay rate of \$20.00 per hour with no benefits

Resolution was seconded by Gilbert Close, all in favor, resolution declared adopted.

With no further business, Gilbert Close 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