

April 05, 2017

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, April 05, 2017 at 7:00 PM at the Town Hall.

Present: Arthur M. Merrill Supervisor
Janet L. Champlin Councilwoman
Julie A. Markert Councilwoman
Gregory L. Lavorgna Councilman
Mark W. Mattson Councilman entered at 7:11PM
Recording Secretary: Julie B. Townsend Town Clerk

Others present: Kenneth R. Eck, Jr.-Highway Supt., Michael P. DeGroat-Town Attorney, Jeff Francisco-Delaware Engineering, Lillian Browne-The Reporter, Joan Homovich, Alan Donner, Bill Reichert, Bonnie Seegmiller and Mary Brawley-Faut.

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 01, 2017 had been distributed earlier. Janet Champlin made the motion to accept the minutes as written, seconded by Greg Lavorgna, Janet Champlin-aye, Greg Lavorgna-aye, Julie Markert-aye, Arthur Merrill-aye, Mark Mattson-absent, motion carried.

VISITOR COMMENTS: Jeff Francisco of Delaware Engineering reported that EFC has received our DWSRF Application for the DWD Filtration Project. The CFWD Well Rehab Project is so muddy now we are going to wait to start up the project again. Supervisor added that the CFWD pump needs repairs; can you get us some cost estimates; we also need to request funds to EFC.

CORRESPONDENCE:

- American Legion James S. Moore Post 167- Proposed time & route for Memorial Day Parade May 29th; asking for assistance with NYSDOT Parade Permit. Board approved.
- Town of Hancock- NYSDEC Region 4 Wildlife Manger: hopefully in 2018 making wildlife management units 4O & 4W part of the Southern Zone Early Bear Season.
- David S. Plummer to David & Joyce Bergstrom- appreciation for use of their parcel at the Corbett Bridge site at the mouth of Campbell Brook by fishermen; if consider disposition of the property they would like to suggest a donated acquisition to the Nature Conservancy.
- Charter Communications- 4th Quarter Franchise Fee Payment; they have taken over Time Warner.

Councilman Mark Mattson entered the meeting at 7:11PM.

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

- Cooks Falls Water District- March 2017- 13 customers balance due \$715.50; Receipts of \$200.00 disbursed to Supervisor. Annual Drinking Water Quality Report for 2016.
- Downsville Water District- March 2017- 33 customers balance due \$1,750.47; Receipts of \$705.58 disbursed to Supervisor. Annual Drinking Water Quality Report for 2016.
- Planning Board- Nov.17, 2016 and Dec. 15, 2016 Minutes.
- Tax Collector- As of 2/28/17 2161 Transactions -Base Tax Total \$6,318,720.95- 74% Paid. As of 3/31/2017 2473 Transactions -Base Tax Total \$6,838,018.89- 85% Paid
- Town Clerk- March 2017-Total disbursed \$1,407.70 of which \$1,334.20 was Town revenues.
- Town Justice Edel- February 2017 and March 2017.
- Town Justice DeRosia- February 2017.

Highway Supt. Eck reported that CEO Tom Zampolin is collecting quotes for the project at the Cooks Falls Garage; we hope to do some in-kind services to save money on this project.

Supervisor Merrill stated that since we did not have a meeting on March 15th, due to weather, he approved on 03/15/17 Public Facility Permit No.05-2017, as it was time sensitive: Public Facility Permit No.05-2017 reads as follows:

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 1st from 11:00AM 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. 05-2017 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 01, 2017.

Supervisor reported that we have received a Public Facility Permit to have a Sunrise Service on Easter Morning at the Covered Bridge Park. Board discussed.

NO. 27-2017 04/05/17 Public Facility Permit No.06-2017

Greg Lavorgna made the following resolution:

WHEREAS, Dawn D'Addezio on behalf of the Pastor Dale Ashby has applied for a Public Facility Permit to use the Covered Bridge Park located at 48 Bridge Street, on Sunday, April 16th from 6:15AM to 8:00AM for Sunrise Service for Easter Morning;

THEREFORE BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the Town Clerk to issue Public Facility Permit No. 06-2017 to Pastor Dale Ashby for the use of the Covered Bridge Park located at 48 Bridge Street, Downsville, NY on April 16, 2017.

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

Supervisor reported that we have received the JCAP Grant funds and we have decided it is best to make budget amendments as they happen, instead of waiting until the end of the year; plus we would like to start using the funds. Board discussed.

NO. 28-2017 04/05/17 Budget Amendment for JCAP Grant

Julie Markert made the following resolution:

WHEREAS, the Town of Colchester Justice Courts had made an application to the 2016-2017 New York State Justice Court Assistance Program in the amount not to exceed \$30,000.00; and

WHEREAS, the NYSJCAP has approved funds for the Colchester Town Court, Delaware County in the amount of \$7,432.72; and

WHEREAS, the Town of Colchester has received said NYSJCAP funds in the amount of \$7,432.72;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to amend the 2017 Budget by increasing the General Revenue NYS Grant Fund #3060.1 by \$7,432.72 and increasing the General Appropriations Justice Edel JCAP Grant #11104.1.14 by \$3,674.85 and Justice DeRosia JCAP Grant #11104.01.013 by \$3,757.87.

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

Supervisor reported that we need to do a budget amendment as we received funds from our Insurance Agency for the claim we put in for the police equipment that was destroyed in Officer Cawley's garage fire. Board discussed.

NO. 29-2017 04/05/17 Budget Amendment for Police Equipment

Julie Markert made the following resolution:

WHEREAS, in January 2017 a fire occurred at Officer Cawley's garage destroying the Town's police Taser and medallion; and

WHEREAS, the Town Board filed an insurance claim for said Taser and medallion; and

WHEREAS, on March 09, 2017 the Town received a check in the amount of \$1,393.66 to satisfy their claim;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to amend the 2017 Budget by increasing the General Unclassified Revenue Fund #2770.1 by \$1,393.66 and increasing the General Appropriations Police Equipment Line #3120.2 by \$1,393.66.

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

Supervisor Merrill reported that we need a budget amendment for the work that the Highway Dept. did for the Downsville Water District on the two water leak repairs; we paid them from Highway but now need to be reimbursed from the DWD. Board discussed.

NO. 30-2017 04/05/17 Budget Amendment Highway Personal Services

Mark Mattson made the following resolution:

WHEREAS, the Downsville Water District had two water main leaks in the area of the Catskill Country Market; and

WHEREAS, the Town Highway Employees aided in the repairs of said leaks; and

WHEREAS, the Town Highway Personal Services line needs to be reimbursed for said hours worked;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to amend the 2017 Budget by increasing the increasing the Highway Unclassified Revenue Fund #2770.3 by \$1,448.92 and the Highway Snow Removal Personal Services Fund #5142.1 by \$1,448.92.

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

Supervisor reported that each year that we have new or changes in the Standard Work Day for Elected & Appointed Officials due to their terms, we must do a resolution of reporting days to the NYS Retirement System. Board discussed.

NO.31-2017 04/05/17 SWD & Reporting Resolution for Elected & Appointed Officials

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town of Colchester/Location Code 30554 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping systems records or record of activities maintained and submitted by these officials to the clerk of this body.

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs./day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Elected Officials							
Appointed Officials							
Code Enforcement Officer	Thomas R. Zampolin			6	01/01/2017-12/31/2017	N	14.97
Supervisor's Bookkeeper/Account Clerk	Dawn R. D'Addezio			6	01/01/2017-12/31/2017	N	24.11
Water Superintendent	Ronnie L. MacDonald			6	01/01/2017-12/31/2017	N	10.82

Resolution was seconded by Mark Mattson.

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

Town Supervisor, Arthur M. Merrill	voting aye
Councilperson, Janet L. Champlin	voting aye
Councilperson, Mark W. Mattson	voting aye
Councilperson, Julie A. Markert	voting aye
Councilperson, Greg L. Lavorgna	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 last month he gave each Board Member a list of accounts with unassigned funds and asked that the Board review and make suggestions; we also need to respond to the NYS Comptroller's Office Audit of findings and recommendations (Adopt a comprehensive fund balance policy that establishes reasonable levels of unassigned, committed and reserved fund balance and how and when committed and reserved funds will be used); historically the fund balance have grown over the years; fund balances have repeated themselves; in 2014 we made an adjustment and started capital reserve funds; at year end of 2016 the highway had a balance of +905,000 and general +633,000. Supervisor read a proposed Fund Balance Policy. Town Attorney suggested a Repair Reserve Fund; *there are no referendum requirements for the establishment of a repair reserve fund or for expenditures from the fund; a resolution appropriating moneys from a repair reserve fund is subject to a public hearing and at least 5 days must elapse between the publication of notice of hearing and the date specified for the hearing; in an emergency, moneys in a repair reserve fund may be expended without giving notice and without holding a public hearing; to make an emergency expenditure, the governing board must pass a resolution approved by at least a two-thirds vote; at least one-half of the expenditure must be repaid in the next fiscal year and the balance repaid by the end of the fiscal year after that.* Town Attorney commented that we cannot borrow from a reserve fund, but we can appropriate from the account and transfer into another reserve account subject to a permissive referendum. Supervisor reported that some unexpended balances are due to the fuel prices going down, not a lot of over-time pays and we did not make equipment purchases. We have a highway capital reserve fund that has about 8,900; we had used some of the funds and did not replace the money from FEMA reimbursements. Board discussed.

NO. 32-2017 04/05/17 Fund Balance Policy

Mark Mattson made the following resolution:

WHEREAS, the Town of Colchester has for several years realized a fund balance in the annual budget at the conclusion of each fiscal year; and

WHEREAS, a portion of that fund balance is used in the subsequent year's budget to fund line items the Town deems necessary to provide services; and

WHEREAS, the fund balances have continued to increase even with judicious use in the budgets and with conservative increases in the services provided; and

WHEREAS, the Town believes fund balances are necessary to continue to defray future expenditures and to have budget flexibility available for unexpected and emergency expenses; and

WHEREAS, We, the Town Board of the Town of Colchester, will continue to keep fund balances at a reasonable proportion of the annual budget;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby adopts this said policy, that those fund balances not utilized to offset the amount to be raised by taxes in each budget will be assigned and committed to reserve accounts for future projects; i.e.: Repair Reserve Fund, General Capital Reserve, Highway Capital Reserve, Police Vehicle and Community Development.

Resolution was seconded by Janet Champlin.

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

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

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

Supervisor commented that before we establish any new reserve accounts or add funds to other reserve funds we should think about purchasing backhoe/loader for the highway dept. and a four-door 4wd pickup truck for the cemetery dept.; also a project for community development could be replacing the sidewalks along Maple, Lindsley & Union; Board discussed. Board will review again in the future.

Supervisor Merrill reported that there is a bill in tonight for a new water pump for the DWD; this is the third pump (2011-2015-2017); water is harsh; hopefully we get the springs up and running and the pump will last.

Supervisor reported that he was in Andes on Monday & Tuesday attending a Main Street Grant Program; making some future contacts.

Supervisor reminded everyone that there is a Community Action Group Meeting tomorrow, April 6th at the American Legion Hall from 6pm to 7:30pm.

Supervisor Merrill made the following announcements:

- Next Regular Board Meeting Wed., April 19th at 7PM
- Town Clerk's Office closing at Noon on Tues., April 11th
- Town Clerk's Office Closed Thurs., April 20th

Highway Supt. Kenneth Eck the Board for their continued support in getting them new reliable trucks and their continued effort to have good equipment; he also thanked his crew for their continuing efforts; we handled this last snow storm very well and better then some towns.

Councilwoman Markert asked for support from the Town Board with this year's Streetscape Project "Covered Bridges". Janet Champlin made the motion to support the "Covered Bridge" Streetscape Project, seconded by Mark Mattson, all in favor, motion carried.

Board discussed county projects and the FFMP.

SUBMISSION OF BILL/EXPENSES: Abstract No.05-2017 Voucher No.124-123; Totaling \$38,332.41 was paid 03/21/2017 per Resolution No.3-2017 due to no meeting on 03/15/17. Mark Mattson made the motion, seconded by Greg Lavorgna, that the vouchers be approved, subject to any corrections or deletions, all in favor, motion carried. Abstract No.06-2017 Voucher No.116-172; Totaling \$58,168.08.

With no further business, Janet Champlin made the motion for adjournment, seconded by Greg Lavorgna, all in favor, motion carried. Meeting adjourned at 8:15 PM.

Respectfully Submitted:

Julie B. Townsend
Town Clerk