

May 06, 2015

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, May 06, 2015 at 7:00 PM at the Town Hall.

Present: Arthur M. Merrill Supervisor  
Mark W. Mattson Councilman  
Julie A. Markert Councilwoman  
Gilbert D. Close Councilman  
Janet L. Champlin Councilwoman

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-Walton Reporter, Bonnie Seegmiller, Joan Homovich, Mary Brawley-Fuat, Jim Shields, Pio Deroda 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, April 15, 2015 had been distributed earlier. Janet Champlin made the motion to accept the minutes as written, seconded by Julie Markert, all in favor, motion carried.

GUESTS: Jeff Francisco of Delaware Engineering reported that he met with Supervisor Merrill, James Lacey and Ronnie MacDonald in Cooks Falls last week; they visited the site of the CFWD Water System Rehabilitation Project; he presented plans for the project; they are trying to find a float valve, trying to keep the treated water from flowing out; bid documents need to be submitted to the Dept. of Health for approval, then we can go out to bid; hope to have for next meeting. Supervisor thanked Mr. Francisco for all of his work.

VISITOR COMMENTS: Joan Homovich inquired if the Town gave approval of the recent motocross? Motorcycles went over the covered bridge this weekend. Supervisor replied that he was not aware of the motor cross.

#### CORRESPONDENCE:

- NYS Senator John J. Bonacic- Acknowledgement of receiving Resolution No. 28-2015- "Support for the Modifications to the Operation System Tool/Flexible Flow Management Plan the Upper Delaware River Tailwaters Coalition Has Endorsed".
- LaBella Associates, DPC- NYSEG Marcy South Series Compensation Project; Overhead Utility Crossing of Town Roads; Crossing Details submitted.
- CWC- Notice of Preliminary Decisions as of May 5, 2015.

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

- Cooks Falls Water District- April 2015- 25 customers balance due \$1,915.50; Receipts of \$2,850.01 disbursed to Supervisor.
- Downsville Water District-April 2015- 90 customers balance due \$6,624.66; Receipts of \$7,683.74 disbursed to Supervisor.
- Town Clerk- April 2015- Total disbursed \$1,406.01 of which \$1,337.01 was Town revenues.
- Planning Board- March 19, 2015 Minutes.
- Town Justice Arthur C. Edel- April 2015.

Supervisor Merrill reported that the CWC Bond Anticipation Notes, Series 2014A matures on June 25, 2015, we will renew \$532,726.73 as we are still waiting for reimbursement from FEMA#1710-PW123-COL14-Holiday Brook Road – Road Resurfacing Project.

Supervisor reported that Tweedie Construction needs to tidy up the FEMA#4031-PW2238-Holiday Brook Road- Bridge Project; 2-3 spots needs topsoil; waiting for final closeout.

Supervisor also reported that Morton Hill closeout is moving forward; problem with DEC permits; we have also received a couple of bluebooks for closeouts.

Supervisor Merrill reported that Paul Stock would like to discuss the Roscoe/Rockland Fire District's Colchester Fire Protection District Contract; we need to negotiate for the 2016 Budget.

Supervisor reminded the Town Attorney to send over the cellphone policies he has. Councilwoman Markert commented that we need to get in place soon before the seasonal employees start work. She inquired about the highway's policy? Councilman Mattson commented that some businesses state that they leave them in their cars. Supervisor commented

that we have many different situations: radios do not often work in certain areas; we need to get in touch with the cemetery crew for burials, etc.

Supervisor asked Pio Deroda to report on the Downsville Streetscape Art Project. Ms. Deroda commented that the last of the 19 eagles went up yesterday; flyers are almost gone and the grant project has no more money. Julie Markert made the motion to purchase more flyers, seconded by Janet Champlin, all in favor, motion carried. Jim Shields commented that there have been many good comments and thanked Pio for a great job. Lillian Browne commented that a full page was designated for Colchester's eagles and Eagle Scout in the last Walton Reporter. Councilwoman Champlin commented that there are birds in all the birdhouses that were placed at the Pepacton Park, Covered Bridge Park and along the walk/trail. Supervisor would like to thank everyone who helped out at the first "I Love My Park Day Event" and a special thank you to Colleen Griffith; 36 signed up to help and the Boy Scouts went to Bear Spring Park; it was a fun day and a good 1<sup>st</sup> annual event.

Supervisor Merrill reported that we have received the draft of our Audit from Mostert, Manzanero & Scott, LLP; he reviewed the Letter to Board; did not find anything to be concerned about; always an issue of more than enough money left over at the end of the year; we explained that with all the floods we have had in the past, it is nice to have a little extra for events that are not declared; we should mark or create a dedicated fund; the resolution to create a fund would be subject to a permissive referendum. Town Attorney commented that in municipal accounting everything should zero out. Supervisor added that we stay within our budget.

Supervisor Merrill reported that we have received an Application for Use of Town Public Facilities from Jody Elmore to use the old highway garage parking lot on June 6<sup>th</sup> for a bus trip. Board discussed.

NO. 45-2015 05/06/15 Public Facility Permit No.08-2015

Julie Markert made the following resolution:

WHEREAS, Jody Elmore on behalf of the Stuart Williams & Maxine Doig Scholarship Fund has applied for a Public Facility Permit to use the old highway garage parking lot located at 15500 State Hwy 30 on Saturday, June 6<sup>th</sup> from 8:30AM to 6:00PM for parking approximately 20 cars, so they may go on a bus trip;

THEREFORE BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the Town Clerk to issue Public Facility Permit No.08-2015 to Jody Elmore for the use of the old highway garage parking lot located at 15500 State Hwy 30, Downsville, NY. Resolution was seconded by Gilbert Close, all in favor, resolution declared adopted.

Highway Supt. Eck entered the meeting at 7:45PM.

Councilwoman Champlin commented that someone had driven their vehicle down to the river at the covered bridge park. Highway Supt. replied that we will put some barriers up to stop this.

Supervisor Merrill reported that we have received a request from Sarah Hood of Head to Toe Fitness Studio to offer an Aqua-Fit class at the Town Pool, 2 classes a week during lap swim hour for a six week period; have had a large group of participants the last two years and would love to offer this again. Board discussed.

NO. 46-2015 05/06/15 Authorize Aqua-Fit Program at Town Pool

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Sarah Hood of Head to Toe Fitness Studio to hold an Aqua-Fit Program this summer at the Town of Colchester Pool located at 14728 State Hwy 30, Downsville, New York.

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

Supervisor reported that Cemetery Supervisor Daniel Bennett has reviewed the seasonal applications as of Monday, and he has stated that he would like three seasonal laborers for the cemetery; his recommendation is for J. Baxter, N. Meiser, & J. Gales and also Nick Shaw until the pool opens; Nick helped out last year before Memorial Day and was a good worker. Supervisor added that the seasonal cemetery laborers will work 8 hours 5 days. Board discussed.

NO. 47-2015 05/06/15 2015 Seasonal Cemetery Laborers

Gilbert Close made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby hires the following as Seasonal Cemetery Laborers for the 2015 Spring/Summer Season at their corresponding hourly rates:

Justin J. Baxter	New Seasonal Cemetery Laborer	\$9.00 per hour
Noah T. Meiser	New Seasonal Cemetery Laborer	\$9.00 per hour
Joseph M. Gales	New Seasonal Cemetery Laborer	\$9.00 per hour

FURTHER RESOLVED, that the Town Board of the Town of Colchester hereby hires Nicholas S. Shaw as a Temporary Seasonal Cemetery Laborer at the pay rate of a Returning Seasonal Cemetery Laborer of \$10.00 per hour.

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

Councilwoman Champlin commented that the Cemetery Dept. is not using a John Deere mower; she was wondering if it could be donated to the firemen to mow the little league field? Town Attorney replied that he would have to research this donation.

Highway Supt. Eck reported that last meeting we agreed to purchase Flail Mower from Iowa Farm Equipment; when he was placing the order, they asked for the money at the time of order; he feels this is not a good idea, therefore he did some more research and came up with other options: go through EBay and set up a PayPal Account with secure funds. Board is not comfortable with this option. Highway Supt then submitted three quotes from local vendors; he recommends the one from New Holland off State Bid at \$12,500. Board reviewed and asked for other options, possibly to rent a mower. Board rescinded the purchase from Iowa Farm Equipment and made no other purchase at this time.

NO. 48-2015 05/06/15 Rescind Resolution No.44-2015

Julie Markert made the following resolution:

WHEREAS, Iowa Farm Equipment is requesting payment in full of \$5,999.00 at time of order for a Berti 57" Ditch Bank Flail Mower;

THEREFORE BE IT RESOLVED that the Town Board of the Town of Colchester hereby rescinds Resolution No.44-2015, the Purchase of a Berti 57" Ditch Bank Flail Mower from Iowa Farm Equipment.

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

Highway Supt Eck presented a quote off the Bid Reference Piggy Back Onondaga County Contract #7823 of Tracey Road Equipment for a 2016 Freightliner 114SD Cab & Chassis with a 14' Duraclass HPT 316 Dump Body, 26"x54" Everest Oneway Plow and RH Wing for the price of \$184,268.00; everything will be done at Tracey's; we have a sander for this truck; this will replace the truck purchased from the Town of Tompkins; he also submitted a second option of a stainless steel box for \$196,092.00. Board discussed.

NO. 49-2015 05/06/15 2016 Freightliner and Plow Equipment

Janet Champlin 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 Onondaga County Contract #7823 of Tracey Road Equipment for a 2016 Freightliner 114SD Cab & Chassis with a 14' Duraclass HPT 316 Dump Body, 26"x54" Everest Oneway Plow and RH Wing for the price of \$184,268.00;

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

Highway Supt commented that his highway truck could use a chip guard bottom and mud flats; he presented a quote of \$680.18 from VerNooy's Automotive. Board asked for three quotes.

Highway Supt commented that the Highway Dept. could possibly use a copy of seasonal laborers/youths to do flagging, cleaning, painting & mowing. Board discussed. Since the Highway Dept. will be going to 10hour days, the youth would work 8 hours for 4 days; possibly we could hire them under the Youth Bureau Program. Board tabled.

Supervisor reported that he has received a ballot for the CWT (Coalition of Watershed Towns) Executive Committee; 2 year terms for 2 members; needs to be in by May 15<sup>th</sup>. Board discussed.

Supervisor Merrill made the following announcements:

- Next Regular Board Meeting Wed., May 20, 2015 at 7PM
- State-wide Burning Ban from March 16<sup>th</sup> to May 14<sup>th</sup>

Councilman Close inquired if we were going to cover-up the dumpsters at the transfer station? Supervisor replied that he will get quotes.

Town Attorney Michael DeGroat commented that last meeting we received a complaint regarding Amato Road; Highway Law Section 320 states that anyone who destroys roads including culverts & bridges is liable for the damages; he further explained the statute. Highway Supt stated that a stone truck made several trips on the road; it was a bad situation; road has been repaired; he will talk with Johnston & Rhodes. Supervisor added that the Highway Supt and CEO are reviewing our road use law.

Councilwoman Markert asked if the handicap sign were up in Corbett. Highway Supt Eck replied that four signs have been placed in the Corbett area. Councilwoman Markert also asked if the brush we cut would be picked up off from the private properties. Highway Supt replied that it will be taken care of.

Visitor Maureen Pedersen thanked the Walton Reporter for their coverage of our community. She also thanked the Eagle Project Committee; they look great in our community.

Board discussed the upcoming Farmers' Markets. Councilwoman Champlin stated that we need better traffic control on the covered bridge; people are not obeying the signs. Supervisor replied that the police are going to start writing tickets.

Supervisor reported that the Bed Tax came up again at the County and he voted no again.

Supervisor Merrill stated that he would publicly thank Mandy Walsh, Jeanne Darling and everyone who turned out for the "I Love My Park Day" Event.

**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.08-2015; Voucher No.230-264; Totaling \$29,736.34.

With no further business, Gilbert Close made the motion for adjournment, seconded by Mark Mattson, all in favor, motion carried. Meeting adjourned at 8:55 PM.

Respectfully Submitted:

Julie B. Townsend  
Town Clerk