

August 5, 2015

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, August 5, 2015 at 7:00 PM at the Town Hall.

Present: Arthur M. Merrill Supervisor
Janet L. Champlin Councilwoman
Mark W. Mattson Councilman (arrived at 7:05)
Julie A. Markert Councilwoman
Gilbert D. Close Councilman

Recording Secretary: Susan D. Early Deputy Town Clerk

Others present: Kenneth R. Eck, Jr.-Highway Supt., Michael P. DeGroat-Town Attorney, Police Officer Rich Pagillo, Police Officer Ernie Cawley, Shaun Ryba, Ron Galley -Walton Reporter, Bonnie Seegmiller, Mary Brawley-Fuat, Stanley Strain, Tony Bonavist, Heather Warner, Dotti Kruppo-DVH, Greg Lavorgna, Alan Donner, Joan Homovich, and Jeff Francisco.

The Meeting was called to order by Supervisor Arthur M. Merrill and led the group in the Pledge of Allegiance.

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

The minutes of the last regular meeting, July 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.

Heather Warner, Educator Coordinator of Del. Co. Public Health, was introduced by Supervisor Merrill. She brought Dotti Kruppo of DVH to speak about The Complete Streets Program and Prescription Trails. In Aug. 2011, New York Governor Andrew Cuomo signed the "Complete Streets" bill into law. This law required that Complete Street design guidelines be considered for the planning, design, construction, reconstruction and rehabilitation of roadways receiving federal and state funding. A policy under this would promote more convenient access and mobility to all users including motorists, pedestrians, bicyclists, and people of all ages and abilities. An added benefit would be that better and safer walkways, crosswalks, trails, bicycling routes would promote healthy lifestyles through more exercise. It would also benefit not only our citizens, but any visitors to our township. She noted that the Town was already busy trying to get grants for walking trails and other improvements on our main street. Adopting this type of policy will enhance chances for getting these grants. Several townships around us (Delhi, Middletown) have already adopted a policy and she handed out a copy of their policies. Ours would be written according to our township's particular needs; and after discussions by the Board and visitors, added that the policy guidelines are to be a consideration not a given. Supervisor Merrill used the State 30 Bridge near Al's Sports Store as an example. Work will be underway on this bridge in the future and if we had this policy in place, the State (who adopted this program) may take into consideration adding wider walkways near the bridge for improved safety for walkers, runners, and bikers using the bridge. Supervisor Merrill also added that our Township's population has a higher percentage of people 65 and older now and we should do all we can to promote good health and safety to them as well. We will look over the examples of other Town's policies, write one to fit our Township's needs, and bring it back to a Board meeting. He thanked Heather and Dotti for their presentation and they exited the meeting.

Jeff Francisco gave a brief update on the Downsville Water District's application to the 2015 CFA CDBG Program so that we can again use our springs as a water source because of a new filtration system. He informed the Board that it was submitted on time and a back-up generator had been added to the project. He added that we are still waiting to hear from the Dept. of Health

for approval on the CFWD Project. He also suggested that Supervisor Merrill get in contact with Charlie Phillion, Senior Com. Developer at NYS OCR. He thanked the Board and exited also.

VISITOR COMMENTS: Tony Bonavist from Hurleyville, NY introduced himself and said he had been to the Board two years ago with a request to put up a memorial somewhere near the east branch of the Delaware River in our township to honor Frank Mele who created Catskill Waters and was instrumental in getting legislation passed in NYS to increase the amount of water released from the reservoirs into the Delaware River thus helping the trout habitat as well as the villages and towns along the river (fishing, canoeing, etc.). The Board had approved this then (R#110-2013) pending design and location. Board discussed. A location near Al's Sports Store was suggested if permission given and Supervisor added that there had to be no maintenance on the Town's part in regard to the memorial. Mr. Bonavist will write a new letter with design and location ideas included but would welcome any suggestions from the Board or Town citizens. He thanked everyone for their courtesy and help and will come back to a future meeting for a presentation.

CORRESPONDENCE:

- Letter from Senator John Bonacic- Support for our application to NYS Office of Community Renewal for NY Main Street Program.
- Letter from Pool Director Janice Stickle- Recommendation to hire Shannon Murphy as part-time lifeguard.
- Letter from Melissa Bishop- Not supporting Delaware Co. Fair because they are not banning the Confederate flag.
- E-mail and flyer from Governor Cuomo- Invitation to attend Citizen Preparedness Corps Training Program Aug. 12, 2015 at Sidney High School.
- Notice from NYS Dept. of Environmental Conservation- J & A Sand & Gravel Inc. filed their application to continue operation.
- E-mail from Catskill Watershed Corp.- Info on the Cannonsville Dam and it's repairs.
- Registration Form for 3rd Trout Town 10 Mile Run and 4 Mile Walk/Run near Hodges Gym in Roscoe to benefit Roscoe Cares and MS Parent Project to Find A Cure.
- Letter from FEMA- Mink Brook Road wing wall project- Accepted and will send funds for the additional costs.

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

- Cooks Falls Water District- July 2015- 21 customers balance due \$1,980.05; Receipts of \$3,441.01 disbursed to Supervisor.
- Downsville Water District- July 2015- 77 customers balance due \$7,895.76; Receipts of \$7,945.49 disbursed to Supervisor.
- Town Clerk- July 2015- Total disbursed \$2,003.01 of which \$1,929.51 was Town revenues.
- Planning Board- April 16, 2015 Minutes.

Supervisor Merrill reported that a pre-bid conference was held on Tues, Aug 4th at the Highway Garage for new bridge structures on Holiday Brook Road and Berg Brook Road (Contract Nos. TC-2015-01 & TC-2015-02); next Wed. Aug. 12, 2015 bids for both are due by 10 AM at the Colchester Town Hall; bid opening will immediately follow.

Hwy Supt. Kenneth Eck reported that the on-line auction is closed and reported the total bids received was \$10,571.39; Auctions International charges \$30 per item listed. Board discussed.

NO. 80-2014 08/05/2015 Accept All Bids from Auctions International

Julie Markert made the following resolution:

WHEREAS, on July 15, 2015, the Town Board of the Town of Colchester adopted Resolution No. 77-2015 authorizing Supervisor, Arthur M. Merrill to advertise the Town's

Surplus Inventory with Auctions International of 11167 Route20-A, East Aurora, New York, for an online auction; and

WHEREAS, said online auction was held July 22 to August 4, 2015 and is now closed for bids;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby accepts the following bids from the online auction:

1988 Mack Dump Truck	2M2S185C5JC001075	@ \$4,500.00	by: quadboxing
1972 D5 Caterpillar Dozer		@ \$6,000.00	by: jcr
5 steel rims & 4 floatation tires		@ \$71.39	by: rhy375400

FURTHER RESOLVED, that the Town Board hereby authorizes Auctions International, Inc. to invoice all bidders on behalf of the Town of Colchester.

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

Supervisor stated that it is time to bid out fuel for the vehicles and buildings. Board discussed.

NO. 81-2015 08/05/2015 Bid Proposal No.01-15 Fuel

Mark Mattson made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to advertise for bids for the purpose of purchasing the following fuels: No. 2 Heating Fuel and Kerosene to be delivered as needed to various buildings in the Town; Propane to be delivered to the highway garages located at 6292 River Road, Downsville and 20246 County Hwy 17, Cooks Falls; Diesel Fuel and Winter Blend to be delivered to the highway garage located at 6292 River Road, Downsville. Bids will be received at the office of the Colchester Town Clerk, 72 Tannery Road, Downsville, New York until 4:00 PM on the 2nd day of September, 2015. Bids will be publicly opened and read aloud at the Town Hall on September 02, 2015 at 7:00 PM.

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

Supervisor Merrill reported that the UDRTC and Task Force would like each town to appoint a member representative and an alternate member. Board discussed.

NO. 82-2015 08/05/2015 APPOINTMENT OF MEMBER AND ALTERNATE MEMBER FOR THE UPPER DELAWARE RIVER TAILWATERS COALITION (UDRTC) AND THE UPPER DELAWARE RIVER TAILWATERS AND TRIBUTARIES COMMUNITIES' TASK FORCE (TASK FORCE)

Julie Markert made the following resolution:

WHEREAS, the Members of the TASK FORCE are cities, towns, villages, counties, and other municipalities located in the Upper Delaware River Tailwaters and Tributaries Region; and

WHEREAS, the URDTC and shall operate as a coalition and discussion forum for municipalities, non-governmental organizations, sporting groups, and other entities interested in its mission and objectives.

WHEREAS, the members of both groups are affected by the myriad state, federal and local rules and regulations governing water levels, fisheries, water releases; the maintenance of reservoirs and water resources throughout the region; and the impacts of flooding, erosion, accelerated sediment transport, and thermal disturbances which are particularly acute throughout the Upper Delaware River Tailwaters and Tributaries Region; and

WHEREAS, the members of both groups are affected by decisions made by such agencies as the Delaware River Basin Commission (DRBC), the Upper Delaware Council, the National Parks Service, Delaware River Rivermaster, the New York State Department of Environmental Conservation (DEC), the New York City Department of Environmental Protection (DEP), and other agencies responsible for the maintenance and regulation of water resources and habitats in and around the Members' communities; and

WHEREAS, the members of both groups wish to ensure their interests are adequately represented before these agencies, and therefore wish to join together to work in furtherance of common goals related to the watershed resources, fisheries, recreation, flood mitigation, and other matters; and

WHEREAS, the Members, desiring to reduce their transactional costs and desiring to speak with one voice on matters related to watershed resources, fisheries, recreation, and flood mitigation, do hereby enter into this Agreement to maintain an organization to effectuate these goals.

WHEREAS, the Town of Colchester adopted a resolution to become a member of the Task Force on March 04, 2015 per Resolution No.27-2015, and has agreed in principle to become a member of the UDRTC,

NOW, THEREFORE BE IT RESOLVED, the Town Board of the Town of Colchester hereby appoints Supervisor Arthur M. Merrill as the member and Councilwoman Janet L. Champlin as the alternate member of the UDRTC and Task Force.

BE IT FURTHER RESLOVED, the Town Board of the Town of Colchester will appoint new members and alternate members to the UDRTC and Task Force as vacancies occur and provide name changes to the Chair/President of the UDRTC and/or Task Force.

Resolution seconded by Gilbert Close.

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, 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.

Hwy Supt Eck reported that the ad for position of HEO1, full-time and part-time positions has been advertised the past two weeks in the Walton Reporter; as the deadline to receive applications just occurred, Hwy Supt Eck will go through both the new and current applications and set up interviews.

NO. 83-2014 08/05/2015 Appoint Part-time Lifeguard

Gilbert Close made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby hires Shannon E. Murphy as a Part-time Lifeguard at the hourly rate of \$8.75 per hour for the duration of the 2015 Pool Season.

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

Police Officer Rich Pagillo spoke to the Board next and recommended the re-hiring of Keith Gavette to our Police force. He also introduced Shaun Ryba, who had previously been interviewed by both the Police Review Panel and Supervisor Merrill, and recommended him to add to their workforce especially on weekends. Both officers would be Part-time and work for \$20 an hour with no benefits. Board discussed. Joan Homovich asked how much to date each Officer was costing the Town (uniforms, equipment, salary, etc.) and Supervisor Merrill said he would try to get that information together as soon as possible to discuss at a later date. Discussion was also about the possibility of hiring one or two full-time officers in the future and Supervisor said we are open to this happening.

NO. 84-2014 08/05/2015 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.; and

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby appoints Keith E. Gavette of 1396 Swart Road, Margaretville, NY as a Certified Town of Colchester Part-time Police Officer at the pay rate of \$20.00 per hour with no benefits.

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

NO. 85-2014 08/05/2015 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.; and

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby appoints Shaun R. Ryba of 2736 Pangburn Rd., Duanesburg, NY as a Certified Town of Colchester Part-time Police Officer at the pay rate of \$20.00 per hour with no benefits.

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

Officer Pagillo recommended that the Town sponsor Krista Baxter for the next available Police Academy, hopefully in Dec. or next March. There would be no cost to the Town and as the spots at the Academy fill up fast, would like to get the paperwork in as soon as possible. Board discussed.

NO. 86-2014 08/05/2015 Sponsor Krista R. Baxter at Police Academy

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester will hereby appoints Krista R. Baxter of 1762 Colchester Mtn., Downsville, NY as a Part-time Police Officer in order to sponsor her in the next available Police Academy at no cost to the Town of Colchester.

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

Highway Supt Kenneth Eck submitted three quotes to get a sand, rust, & chip guard application and paint and labor for the Hwy Supt. Truck #115, a 2012 Ford F-250:

VerNooy's Automotive Excellence	\$ 950.60
Dave's Collison & Body	\$1,280.00
Fred's Body Shop, LLC	\$1,469.00

Board reviewed and discussed the quotes. Board accepted the lowest quote.

NO. 87-2015 08/05/2015 Accept Quote for Chip Guard to Truck #115

Julie Markert made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby accepts the lowest quote of VerNooy's Automotive Excellence in the amount of \$950.60 for the application of Sand/Rust/Chip Guard and Paint for the Highway Supt's Truck #115; a 2012 Ford F-250, and hereby authorizes Highway Supt. Kenneth Eck to enter into contract with VerNooy's Automotive Excellence for said application and labor.

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

Highway Supt also reported that due to the engine problems, age, high mileage, and condition of the Deputy Hwy Supt's truck, it would make repairs too costly to justify the expense; he suggested that this vehicle be retired; he suggested that a new truck be purchased for the Hwy Supt and then Truck #115 be turned over to the Deputy Hwy Supt, as Truck #115 is a ¾ ton vehicle and can have a plow put on it for winter duties; we would will look for a more

economical truck for the Hwy Supt. Board discussed. Board would like more information on price, specs, etc. for this different vehicle to be brought to a Board meeting.

Town Attorney reported that he had looked at the model policy that DCJS gave to the Town of Colchester Police after their NARCAN (Intranasal Naloxone) training last month and approved the format. Police will now have to adapt and use this NYSDCJS approved NARCAN policy. This policy will also be reviewed each year at the Organizational Meeting.

Supervisor reported that in the North Section of Paige Cemetery, stone markers to identify the individual rows (A-J) and (1,2,3) have yet to be ordered and installed (total of 13 characters); he had one quote from Mike Furman of Furman Cemetery Memorial Service of \$80 per character (total of \$1,040). Supervisor feels that we could possibly get lower quotes and will do this as soon as possible.

Councilwoman Julie Markert reported on a complaint that she received about loose grass being all over cemetery monuments and pots & flags knocked over in Paige Cemetery; she investigated and everything looked okay to her. Supervisor Merrill commented that he has been there several times and thought that the Cemetery Crew was doing an excellent job; Supervisor wished that people would come to a meeting to address their concerns so that miscommunications could be avoided. Board discussed further.

Councilwoman Markert asked if the tattered flags near the Downsville Covered Bridge to prohibit trucks and heavier vehicles from crossing it could either be replaced or taken down and a sign put up. It will be looked into.

Supervisor Merrill made the following announcements:

Next Board Meeting-Wed., August 19, 2015 at 7:00 PM

SUBMISSION OF BILL/EXPENSES: Julie Markert made the motion, seconded by Mark Mattson, that the vouchers be approved, subject to any corrections or deletions, all in favor, motion carried. Abstract No14-2015; Voucher No.395-432; Totaling \$134,929.03.

Janet Champlin made the motion to go into executive session upon recommendation of the Supervisor to discuss Police personnel issues, seconded by Gilbert Close, all in favor, motion carried. Board entered executive session at 8:27 PM. Police Officers Pagillo and Cawley were invited to stay. Board held discussion. Mark Mattson made the motion to enter back into regular session, seconded by Janet Champlin, all in favor, motion carried. Board entered regular session at 8:47 PM. Board held discussion and adopted the following resolution.

NO.88-2015 08/5/15 Appoint Earnest E. Cawley Police Sergeant

Mark Mattson made the following resolution:

BE IT RESOLVED, that the Town Board of Town of Colchester hereby appoints Earnest E. Cawley to the rank of non-Civil Service Police Sergeant of the Town of Colchester Police Department; and

FURTHER RESOLVED, that Police Sergeant Cawley will receive a pay rate of \$22.00 per hour for a maximum of 10 hours per week effective August 05, 2015.

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

With no further business, Julie Markert made the motion for adjournment, seconded by Mark Mattson, all in favor, motion carried. Meeting adjourned at 8:52 PM.

Respectfully Submitted:

Susan D. Early, Deputy Town Clerk