

August 17, 2016

A Public Hearing was held by the Town Board of the Town of Colchester, Delaware County, New York on Wednesday, August 17, 2016 at 7:00 PM in the Town Hall for the purpose of hearing the public's comments on a Local Law Providing for the Administration and Enforcement of the Compilation of the 2015 International Code Council (ICC) Codes and the New York State (NYS) 2016 Code Supplement (Building Code) in the Town of. Proof of Notice having been furnished, the Public Hearing was called to order by Supervisor Arthur M. Merrill.

No one spoke in favor of the Local Law.

No one spoke against of the Local Law.

All persons desiring to be heard, having been heard, the Public Hearing was declared closed by Supervisor Merrill at 7:05 PM.

Respectfully Submitted:
Julie B. Townsend, Town Clerk

August 17, 2016

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held immediately following the Public Hearing on Wednesday, August 17, 2016 at 7:05 PM at the Town Hall. Present:

Arthur M. Merrill	Supervisor	
Julie A. Markert	Councilwoman	
Gregory L. Lavorgna	Councilman	
Mark W. Mattson	Councilman	
Absent:	Janet L. Champlin	Councilwoman
Recording Secretary:	Julie B. Townsend	Town Clerk

Others present: Kenneth R. Eck, Jr.-Highway Supt., Michael P. DeGroat-Town Attorney, Tom Zampolin-CEO, Abby Butler-Walton Reporter, Bonnie Seegmiller, Joan Homovich, Alan Donner, Phil Lavorgna and Peter Heimbuecher.

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, August 03, 2016 had been distributed earlier. Greg Lavorgna made the motion to accept the minutes as written, seconded by Mark Mattson, Greg Lavorgna-aye, Julie Markert-aye, Mark Mattson-aye, Arthur Merrill-aye, Janet Champlin-absent, motion carried.

VISITOR COMMENTS: Joan Homovich inquired to the status of the police budget. Supervisor replied that the police personal service line is budgeted at 95,000 and we are at 80,308 right now; equipment is over 4,000 and contractual is over 3,000; we have purchased items that we will not have to purchase next year and we have spent more on maintenance of the vehicles this year; we have discussed adjusting hours and what will be needed in the 2017 budget.

CORRESPONDENCE:

- NYS Dept. of Taxation & Finance- Town of Colchester Final State Equalization rate of 3.04.
- NYSEG- Notice of Tree and Brush Work.
- NYS Ag & Markets- Dog Control Officer Inspection Report- Rated Satisfactory.
- Town of Hancock- Asking for a letter of support to take to NYSDEC in Stamford in support of making Wildlife Management Units 4O and 4W part of the Southern Zone Early Bear Season. Board discussed and approved Supervisor to write Letter of Support.

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

- Town Justice Edel- July 2016.
- Town Justice DeRosia- July 2016.
- FEMA update as of 08/17/2016- received check in the amount of \$423,403.00 for permanent bridge on Holiday Brook Road.

Supervisor Merrill reported that we are re-bidding the Cooks Falls Water District- Water System Rehabilitation Project Contract #TC1-G-2015; Bid Opening is Wed. Sept. 7th @ 10AM.

Supervisor reported that Delaware Opportunities Inc. will be holding a public hearing regarding the NYS CDBG Project #260CRF-HR113-14 Program, Housing Rehabilitation Grant on Tuesday, August 23, 2016 at 2:00 PM at the Colchester Town Hall.

Supervisor Merrill reported that Delaware Opportunities has sent us another project to approve for the NYS CDBG Project #260CRF-HR113-14 Program, Housing Rehabilitation Grant; Del. Opp. has approved bid for File No. CTRCD-13 to D&N Improvements in the amount of \$25,445.00; the Community Development Specialist estimated the total cost of the project at \$26,098.00 plus an additional \$550 for cost of Lead Based Paint Risk Assessment by EcoSpect Inc. Board discussed.

NO.105-2016 08/17/16 CDBG #260CRF-HR113-14 Board Approval No. CTRCD-13

Upon recommendation of Delaware Opportunities Inc., Mark Mattson made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby approves File No. CTRCD-13 for the CDBG Project #260CRF-HR113-14, Housing Rehabilitation Grant and hereby authorize Supervisor Arthur M. Merrill to sign said grant approval in the amount of \$25,995.00.

Resolution was seconded by Julie Markert, Greg Lavorgna-aye, Julie Markert-aye, Mark Mattson-aye, Arthur Merrill-aye, Janet Champlin-absent, resolution declared adopted.

Supervisor Merrill reported that Delaware Opportunities has sent us a second project to approve for the NYS CDBG Project #260CRF-HR113-14 Program, Housing Rehabilitation Grant; Del. Opp. has approved bid for File No. CTRCD-14 to D&N Improvements in the amount of \$19,560.00; the Community Development Specialist estimated the total cost of the project at \$19,601.00 plus an additional \$550 for cost of Lead Based Paint Risk Assessment by EcoSpect Inc. Board discussed.

NO.106-2016 08/17/16 CDBG #260CRF-HR113-14 Board Approval No. CTRCD-14

Upon recommendation of Delaware Opportunities Inc., Julie Markert made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby approves File No. CTRCD-14 for the CDBG Project #260CRF-HR113-14, Housing Rehabilitation Grant and hereby authorize Supervisor Arthur M. Merrill to sign said grant approval in the amount of \$20,110.00.

Resolution was seconded by Greg Lavorgna, Greg Lavorgna-aye, Julie Markert-aye, Mark Mattson-aye, Arthur Merrill-aye, Janet Champlin-absent, resolution declared adopted.

Supervisor Merrill reported that on June 15, 2016, by Resolution No. 83-2016 we approved File No. CTRCD-09 to D&N Improvements in the amount of \$16,995.00 of the NYS CDBG Project #260CRF-HR113-14 Program, Housing Rehabilitation Grant; Delaware Opportunities has now sent us Change Order #1 for File No. CTRCD-09 in the amount of \$2,555.00 for our approval; total revised grant is in the amount of \$20,100.00 Board discussed.

NO.107-2016 08/17/16 CDBG Board Approval No. CTRCD-09-Change Order #1

Upon recommendation of Delaware Opportunities Inc., Mark Mattson made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby approves Change Order #1 in the amount of \$2,555.00 for File No. CTRCD-09 for the CDBG Project #260CRF-HR113-14, Housing Rehabilitation Grant and hereby authorize Supervisor Arthur M. Merrill to sign said revised grant approval in the amount of \$20,100.00.

Resolution was seconded by Greg Lavorgna, Greg Lavorgna-aye, Julie Markert-aye, Mark Mattson-aye, Arthur Merrill-aye, Janet Champlin-absent, resolution declared adopted.

Supervisor Merrill reported that he has spoken with Donald Reynolds regarding the boundary lines at Paige Cemetery; we are asking the surveyor to flag the line for a better visual effect; will talk more with Mr. Reynolds; he is concerned with water build up.

Supervisor reported that Bid Proposal No.01-16 Fuel is due Wed, Sept. 7th by 2PM at which time the Bid Opening will be held.

Supervisor Merrill stated that we held the public hearing tonight for the new building codes and asked the Board if they had any further discussion on the local law; if not then he asked that we adopt the local law.

NO.108-2016 08/17/16 Adopt Local Law 3 of the Year 2016

Julie Markert made the following resolution:

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Colchester for a Public Hearing to be held by said Town on August 17, 2016 at 7:00 PM at the Town Hall, 72 Tannery road, Downsville, New York to hear all interested parties on a proposed Local Law- A Local Law Providing for the Administration and Enforcement of the Compilation of the 2015 International Code Council (ICC) Codes and the New York State (NYS) 2016 Code Supplement (Building Code) in the Town of Colchester; and

WHEREAS, notice of said Public Hearing was duly advertised in The Walton Reporter, the official newspaper of said Town on August 10th and August 17th, 2016; and

WHEREAS, notice of said Public Hearing was duly posted on the official signboard at said Town Hall; and

WHEREAS, said Public Hearing was duly held on August 17, 2016 at 7:00 PM at the Town Hall, 72 Tannery Road, Downsville, New York and all parties in attendance were permitted an opportunity to speak on behalf or in opposition to said proposed Local Law or any part thereof; and

WHEREAS, the Town Board of the Town of Colchester, after due deliberation, finds it in the best interest of said Town to adopt said Local Law;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester does hereby adopt said Local Law 3 of the Year 2016- A Local Law Providing for the Administration and Enforcement of the Compilation of the 2015 International Code Council (ICC) Codes and the New York State (NYS) 2016 Code Supplement (Building Code) in the Town of Colchester, a copy of which is attached hereto and made a part of this resolution.

ATTACH COPY OF LOCAL LAW IN MINUTES BOOK

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	absent
Councilperson, Julie A. Markert	voting aye
Councilperson, Mark W. Mattson	voting aye
Councilperson, Gregory L. Lavorgna	voting aye

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

Councilman Mattson inquired to the status of the traffic lights on the bridge. Supervisor replied that he is not sure if the proper contacts have been made; if power goes out officer on duty will man the traffic; we are requesting that they get a power backup for these lights.

Highway Supt. Eck reported that we are getting complaints regarding the brush on the state side of the Corbett Bridge; we may take care of it; Supervisor added that there is a tree causing some of the problem. Highway Supt. also commented that he heard that NYSDOT was paving Rte. 30 from East Branch to Downsville in about two weeks.

Supervisor Merrill made the following announcements:

- Town Clerk's Office Closing at Noon on Wed., August 24th
- NYS Deferred Compensation Employee Informational Meeting Aug. 31st @ 11am Hwy Garage
- Next Regular Board Meeting Wed., September 07, 2016 at 7PM

Councilwoman Markert inquired if we have a Cell Phone Policy? Supervisor replied that we have the summer youth policy, that they leave them in their vehicles. Highway Supt. Eck commented that he gave the Highway employees a memo that they are not allowed during working hours.

Supervisor reported that the Town Hall sink has been repaired and that last week we had boiler inspections; three at highway garage and one at Town Hall; a repair has been made to the one at Town Hall.

Highway Supt. Eck reported that the back drain of the garage needs attention. Board discussed and agreed that he should contact Richard Wakeman and get it taken care of.

Councilman Lavorgna commented that we were over 24ton in C&D (construction & demolition); can we do something about this? Supervisor replied that we have always gone over; they have changed the regulations and some other items get into the C&D bin; not easy to build an overhang there. Board discussed further.

Supervisor Merrill announced that a free blue grass concert performed by "Milkweed" will be held at the Covered Bridge Park on Friday, August 26th from 5pm to 8pm.

Councilman Mattson inquired to the dedication of Downs Grave. Supervisor replied that it will be on Sunday, Sept. 11th; the Colchester Chamber of Commerce is holding their annual antique car show that day; there will be a parade starting at 11am from the Pepacton Park to DCS; they are stopping at the red light for a special tribute to 9-11 with a flag raising ceremony by Girl Scout Troop 30631. Supervisor added that a request was made to the County for a photo-opp at the Covered Bridge; County has Okayed the bridge to be open an hour so the old cars can come across the bridge and have their pictures taken.

Phil Lavorgna inquired if the Town ever promotes the town; it's good for business. Supervisor replied that the Chamber has done that; we as a Town have not; we have had contact with the County Chamber and a committee has been working on a paddle trail.

SUBMISSION OF BILL/EXPENSES: Greg Lavorgna made the motion, seconded by Mark Mattson, that the vouchers be approved, subject to any corrections or deletions, Greg Lavorgna-aye, Julie Markert-aye, Mark Mattson-aye, Arthur Merrill-aye, Janet Champlin-absent, motion carried. Abstract No.15-2016; Voucher No.386-409; Totaling \$53,768.53.

Mark Mattson made the motion to go into executive session to discuss police personnel issues, seconded by Greg Lavorgna, Greg Lavorgna-aye, Julie Markert-aye, Mark Mattson-aye, Arthur Merrill-aye, Janet Champlin-absent, motion carried. Board entered executive session at 7:44PM. Officers Pagillo & Cawley were invited to stay. Board held discussion. Mark Mattson made the motion to enter back into regular session, seconded by Greg Lavorgna, Greg Lavorgna-aye, Julie Markert-aye, Mark Mattson-aye, Arthur Merrill-aye, Janet Champlin-absent, motion carried. Board entered regular session at 8:12 PM. Board made no decision forthcoming.

With no further business, Mark Mattson made the motion for adjournment, seconded by Greg Lavorgna, Greg Lavorgna-aye, Julie Markert-aye, Mark Mattson-aye, Arthur Merrill-aye, Janet Champlin-absent, motion carried. Meeting adjourned at 8:12 PM.

Respectfully Submitted:

Julie B. Townsend
Town Clerk