

September 20, 2017

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, September 20, 2017 at 7:00 PM at the Town Hall.

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

Others present: Michael P. DeGroat-Town Attorney, Lillian Browne-The Reporter, Bonnie Seegmiller, Joan Homovich, Mary Brawley-Faut, John Soran, Pat & Shaun Pattison, Mike Frisbee, Kay Parisi-Hampel, Sarah Hood, Linda Reichert, Jim Shields, Larry Guglielmo and Alan Donner.

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, September 06, 2017 had been distributed earlier. Julie Markert made the motion to accept the minutes with one correction "*Councilwoman Markert stated that someone told her, that they saw our police SUV going across the covered bridge*", seconded by Mark Mattson, all in favor, motion carried.

GUESTS: *Linda Reichert of the Downsville Women's Club stated that about 15 years ago the Women's Club had purchased historical signs for the area; the Fred Odwell sign across from the Schoolhouse Inn on NYS 206 and the Corbett sign along Corbett Road have been repaired with help from the Lion's Club; Catskill Casting who repaired the signs have suggested that the signs be relocated away from road ways, due to winter salt on the roads; the Women's Club would like to move the Odwell sign to the Downsville Covered Bridge Park and the Corbett sign to further in the Corbett Park; repairs were over \$400 each. Supervisor replied that we have no jurisdiction for the Corbett Park; you must see the Corbett Community Corp. Board discussed and approved the placement of the Fred Odwell sign to be relocated in the Downsville Covered Bridge Park.

*Shaun Pattison commented that he had come to the Town Board meeting on March 1st stating that he was working on his Eagle Scout Project by raising funds and then donating the funds for the purchase of an electronic message board/sign; he has raised \$5,000; he has meet with the Town's Design Committee and they have reviewed the quotes from three companies; the committee feels that the AdChoice company is what they recommend; AdChoice only make a full color screen (like a large TV screen) that is double sided; this company has two sizes to consider: 28"x66" for \$7,734.66 and 34.65"x78.75" for \$10,823.00; Shaun Pattison recommends placing the sign in the Town's vacant lot near Dukes. The Design Committee recommends placing the sign on the DWD Water Building site across from Paige Cemetery. Shaun Pattison added that the message sign can be programmable anywhere; maintenance can be done online, believes there is a seven year service contract. At this time Shaun Pattison asked the Board to accept his Eagle Scout Project of a donation of \$5,000 toward the AdChoice message board of their choice and to install the sign and maintain the sign, including the monthly electricity costs. Board discussed.

NO. 78-2017 09/20/17 Purchase LED Message Sign

Greg Lavorgna made the following resolution:

WHEREAS, Shaun Pattison has completed his Eagle Scout Project of raising and donating funds of \$5,000 for a community LED Message Sign;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby accepts the donation of \$5,000 from Shaun Pattison's Eagle Scout Project toward the purchase of a LED Message Sign to be located in the Village of Downsville;

FURTHER RESOLVED, that the Town Board hereby authorizes Supervisor Arthur M. Merrill to place the order of one 28"x66" LED Message Sign from AdChoice LED Signs in the amount of \$7,734.66.

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

Supervisor and Board thanked Shaun Pattison for all of his hard work.

VISITOR COMMENTS: Joan Homovich commented that rumor had it that the Town was doing away with the Police Dept. Supervisor stated no, we are not.

Larry Guglielmo commented that he heard Rich Pagillo resigned, where is the police dog? Supervisor replied that a letter was written to Southern Tier Canine; the dog is their responsibility and told them where Rich lives. Mr. Guglielmo commented that the Town trained Rich to be the dog handler. Supervisor replied that he did some training on his time but a few days a month were on the Town; the Town has some expense for this and we have the vehicle.

Joan Homovich commented that an explanation to the residents of what the cost was for having the dog canine unit. Supervisor replied that he did not have the number now.

Linda Reichert asked how many calls did the dog go on? Supervisor replied that he did not have the numbers. Officer Cawley stated that it was the canine officer's responsibility for reports; if no tickets were issued then no report.

John Soran asked if we will know the reason Rich left. Supervisor replied he left to take another job.

CORRESPONDENCE:

- NYS Agriculture and Markets- Dog Control Officer Inspection Report of 9/12/2017 was rated Satisfactory.
- Congressman John Faso- Hosting a Veterans Resource Fair on Sat., Sept. 23rd at Foothills Performing Arts Center, Oneonta, NY from 10am to noon.
- Del. Co. DPW- Clean Sweep- Chemical Disposal Days- October 20th and 21st.
- NYS Covered Bridge Society- Newsletter Volume 51, Issue 2; Downsville Streetscape Project included in this issue.

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

- Colchester Historical Society- Newsletter Volume 7, Issue 3.

Supervisor Merrill reported that Louis Banker was going back to work on TC1-G-2015 Cooks Falls Water District- Water System Improvements Project- DWSRF Project No.16601.

Supervisor reported that we have received the EFC Award Letter for the Downsville Water District- Filtration of the DWD Spring System-DWSRF Project No.17537; we were awarded an interest free note in the amount of \$127,390.00 that must be used first before the grant funds.

Councilwoman Markert asked for a discussion to revoke the Colchester Police Canine Unit.

NO. 79-2017 09/20/17 Revoke Colchester Police Canine Unit

Julie Markert made the following resolution:

WHEREAS, on July 20, 2016 the Town Board of the Town of Colchester adopted Resolution No.98-2016 establishing the Town of Colchester Police Department Police Canine Unit; and

WHEREAS, the Colchester Police Canine Handler is no longer working for the Town;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby revokes the Colchester Police Canine Unit and hereby decommissions the canine named "Tyberius" from the Town of Colchester Police Department.

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

Supervisor Merrill reported that he will be meeting with the Town Attorney next week regarding the reserve accounts.

Supervisor reported that CEO Tom Zampolin and he will be work on getting the back-steps project underway. Supervisor added that the downstairs window project is complete. Next we will have the Highway Dept. bring in some asphalt. Supervisor suggested that we consider repairing or re-roofing the Town Hall next year.

Supervisor Merrill reported that negotiations for the Teamsters is next Monday, Sept. 25th at 9:30am at Town Hall.

Supervisor reported that the bid opening for Bid Proposal No. 01-17 was held today at 2PM; we received the following bids from one bidder:

No.2 Heating Fuel

Mirabito Energy Products- Jock Albany plus a Firm Differential of \$0.2675 per gal.

Mirabito Energy Products- Firm Bid Price of \$2.3976 per gal.

Kerosene

Mirabito Energy Products- Jock Albany plus a Firm Differential of \$0.2975 per gal.

Mirabito Energy Products- Firm Bid Price of \$2.7976 per gal.

Winter Blend

Mirabito Energy Products- Jock Albany plus a Firm Differential of \$0.2436 per gal.

Mirabito Energy Products- Firm Bid Price of \$2.4543 per gal.

Diesel Fuel

Mirabito Energy Products- Jock Albany plus a Firm Differential of \$0.2436 per gal.

Mirabito Energy Products- Firm Bid Price of \$2.3543 per gal.

Propane

Mirabito Energy Products- Jock Albany plus a Firm Differential of \$0.5500 per gal.

Mirabito Energy Products- Firm Bid Price of \$1.57 per gal.

Councilman Mattson suggested that we put out the fuel bid sooner and not near hurricane season. Board discussed.

NO. 80-2017 09/20/17 Award Bid Proposal No. 1-17 Fuel

Janet Champlin made the following resolution:

WHEREAS, the Town of Colchester had advertised for Bid Proposal No. 1-17 Fuel; and

WHEREAS, on September 20, 2017 the Town received said fuel bid from one bidder;

WHEREAS, on September 20, 2017 the Town opened said fuel bid from the one bidder;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby accepts the bid from Mirabito Energy Products for Bid Proposal No. 1-17 Fuel at a rates of:

No.2 Heating Fuel - Firm Bid Price of \$2.3976 per gal.

Kerosene- Firm Bid Price of \$2.7976 per gal.

Winter Blend - Firm Bid Price of \$2.4543 per gal.

Diesel Fuel- Firm Bid Price of \$2.3543 per gal.

Propane - Firm Bid Price of \$1.5700 per gal.

FURTHER RESOLVED, that the Town Board hereby gives authorization to Supervisor Arthur M. Merrill to enter into contract with Mirabito Energy Products of 49 Court Street, PO Box 5306, Binghamton, New York 13902 for fuel to be delivered at various locations within the Town of Colchester.

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

Supervisor Merrill reported that Senator Bonacic has given us another SAM Grant in the amount of \$100,000 for the purchase of a new plow truck.

Supervisor presented the current operating statement to each of the board members; also a copy of the proposed health insurance rates, up 9.14%; Supervisor is working on the 2018 Budget; a Budget Workshop was scheduled for Thursday, October 5th at 9:30am.

Supervisor Merrill read a letter of resignation from Rich Pagillo. Board discussed.

NO. 81-2017 09/20/17 Accept Letter of Resignation Richard A. Pagillo

Julie Markert made the following resolution:

WHEREAS, on September 11, 2017 a letter of resignation was presented to Supervisor Arthur M. Merrill from Richard A. Pagillo as Police Officer effective September 12, 2017;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby accepts said Letter of Resignation from Richard A. Pagillo as a Town of Colchester Police Officer effective immediately;

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

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

Supervisor Merrill made the recommendation to appoint Officer Ernie Cawley full-time and name him "Officer-in-Charge". Board discussed.

NO. 82-2017 09/20/17 Permanently Appoint Earnest Cawley as Full-time Police Officer

Janet Champlin made the following resolution:

WHEREAS, on December 18, 2013 the Town Board of the Town of Colchester appointed Earnest Cawley as a Part-Time Police Officer; and

WHEREAS, on November 19, 2016 Ernest Cawley took and passed the Police Officer Exam for Delaware County Residents, placing him on the Civil Service List; and

WHEREAS, on August 02, 2017 the Town Board appointed Ernest Cawley as a competitive permanent part time police officer off the Delaware County Certified Civil Service Police Officer Certification of Eligibles List.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby permanently appoints Ernest E. Cawley Jr. a Full-Time Town of Colchester Police Officer at the pay rate of \$23.40 per hour with benefits effective September 13, 2017 and names him "Officer-in-Charge".

Resolution was seconded by Julie Markert, all in favor, resolution declared adopted.

Supervisor reported that Town Clerk Julie Townsend has made the recommendation to appoint Joyce Steflik as another Deputy Town Clerk until the end of her current term (12-31-2017). Board discussed.

NO. 83-2017 09/20/17 Appoint Joyce T. Steflik as Deputy Town Clerk

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby appoints Joyce T. Steflik of 40 Montgomery Avenue, Downsville, New York as Deputy Town Clerk for the term of 09-21-2017 to 12-31-2017 at the hourly rate of \$13.90 per hour with no benefits.

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

Supervisor Merrill reported that Officer Keith Gavette has expressed interest in becoming full-time; we have to do a duty statement and return to Del. Co. Personnel Office to have two full-time officers; is this something the Board wants to do? Board will discuss. Supervisor reported that the Police Contractual line is over, mostly due from repairs and gasoline.

Supervisor Merrill made the following announcements:

- Town Clerk's Office Closed Thursday, Sept. 21st- Delaware County Town Clerk's Association Meeting
- Next Regular Board Meeting Wed., Oct. 4th at 7PM
- Oct. 4th meeting-Tara Donadio of Cornell Cooperative Extension-EnergyProgram/Grants

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.17-2017 Voucher No.466-492; Totaling \$72,959.03.

Supervisor reported that Tioga Construction Co. Inc. has sent us a letter stating that they have completed their bridge project on Rt.30/206 and will be leaving the area soon; they have donated some products to us and want to pay for the electric charges at the old highway garage site.

Councilwoman Markert reported that someone told her that vehicles are running the STOP sign at the intersection of Rt.30/206 and Cat Hollow. Supervisor will have the Police keep an eye on the intersection.

Councilwoman Markert reported that someone told her that there is a small time frame to get a building permit. Supervisor replied that CEO Zampolin is at the Town Hall starting at 7am to 11am; he may be out of the office at times doing inspections; application for building permits can be picked up from the Town Clerk.

Councilman Mattson thanked Highway Supt. Eck for patching the road by the Corbett Bridge. Supervisor commented that Hwy Supt Eck did get permission from the landowner for clearing out the Tub Mill Falls.

Supervisor Merrill reported that the Del. Co. Board of Supervisor is having a meeting regarding the County DPW Building next week prior to the BoS Meeting; Supervisor Merrill reported that he does not like the suggested sites. Board agreed with him. Supervisor reported that the County is buying a part of the building at 97 Main Street, Delhi for the Office of Aging; the County has looked at 15 buildings and this one had a commercial kitchen.

Upon the recommendation of the Supervisor, Julie Markert made the motion to go into executive session to discuss police personnel issues, seconded by Janet Champlin, all in favor, motion carried. Town Attorney and Officer Cawley were invited to stay. Board entered executive session at 8:30 PM. Board held discussion. Janet Champlin made the motion to enter back into regular session, seconded by Mark Mattson, all in favor, motion carried. Board entered regular session at 9:04 PM. Board made the following resolution.

NO. 84-2017 09/20/17 Sell the 2009 Chevrolet Tahoe Police Vehicle

Greg Lavorgna made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to sell the 2009 Chevrolet Tahoe Police Vehicle in the best interest of the Town.

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

With no further business, Greg Lavorgna made the motion for adjournment, seconded by Julie Markert, all in favor, motion carried. Meeting adjourned at 9:06 PM.

Respectfully Submitted:

Julie B. Townsend
Town Clerk