

October 19, 2016

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, October 19, 2016 at 7:00 PM at the Town Hall.

Present: Arthur M. Merrill Supervisor
Janet L. Champlin Councilwoman
Julie A. Markert Councilwoman entered @ 7:17PM
Gregory L. Lavorgna Councilman
Mark W. Mattson Councilman
Recording Secretary: Julie B. Townsend Town Clerk

Others present: Kenneth R. Eck, Jr.-Highway Supt., Michael P. DeGroat-Town Attorney, Abby Butler-Walton Reporter, Joan Homovich, Alan Donner, Bonnie Seegmiller, Pio Deroda, Amy Brown 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, October 05, 2016 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, Mark Mattson-aye, Arthur Merrill-aye, Julie Markert-absent, motion carried.

VISITOR COMMENTS: Amy Brown inquired if there were any direct expenses for the K-9 that the Town paid? Supervisor replied that any payments so far have been paid by donations.

CORRESPONDENCE:

- Catskill Watershed Corporation- Watershed Currents October 2016.

Supervisor Merrill reported that a public education meeting sponsored by the Upper Delaware River Tailwaters Coalition and Friends of the Upper Delaware River is scheduled for Tuesday, October 25th from 6-7:30PM at the American Legion Hall, 6644 River Road, Downsville; they are working on a new project to protect, manage and restore our waterways in Delaware County; they are developing a Stream Corridor Management Plan in Delaware County below the NYC Delaware River basin reservoirs. Supervisor encouraged everyone to come and listen to Graydon Dutcher of Delaware County Soil & Water Conservation District.

Supervisor commented that if there is no more discussion on the 2017 Budget, we need to schedule the public hearing. Board discussed.

NO.124-2016 10/19/16 Budget Public Hearing

Mark Mattson made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby gives notice that the preliminary budget of the Town of Colchester, Delaware County, New York for the fiscal year beginning January 01, 2017 has been filed in the office of the Town Clerk of said Town, where it is available for inspection by any interested person during regular office hours. Further notice is hereby given that the Town Board of said Town of Colchester will meet and review said preliminary budget and hold a Public Hearing thereon at 7:00 PM on Wednesday, the 2nd day of November, 2016 at the Town Hall, 72 Tannery Road, Downsville, New York and that at such hearing any person may be heard in favor or against any item therein contained. And further notice is hereby given pursuant to Section 108 of the Town Law that the following are proposed yearly salaries of the Town Officers of this Town:

Supervisor	\$20,500.00	Town Clerk	\$31,000.00
Councilman (4@)	3,000.00 each	Supt. of Highways	47,000.00
Town Justice (2@)	11,900.00 each	Tax Collector	6,300.00
Assessor-Chairman	11,300.00	Assessors (2@)	5,150.00 each

And further notice is hereby given that the regular monthly meeting of the Town Board will be held immediately following the Preliminary Budget Hearing.

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

Supervisor reported that last meeting we awarded Bid Proposal No.01-16 Fuel to Suburban Propane; it has been brought to our attention that their bid was not uniform to our bid specs; we can re-bid or go with the valid bidder. Board reviewed and discussed the remaining bids:

No.2 Heating Fuel

Mirabito Energy Products- JoC Albany plus a Firm Differential of \$0.2775 per gal.

Mirabito Energy Products- Firm Bid Price of \$2.0213 per gal.

Kerosene

Mirabito Energy Products- JoC Albany plus a Firm Differential of \$0.3224 per gal.

Mirabito Energy Products- Firm Bid Price of \$2.4813 per gal.

Winter Blend

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

Mirabito Energy Products- Firm Bid Price of \$2.4708 per gal.

Diesel Fuel

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

Mirabito Energy Products- Firm Bid Price of \$2.0108 per gal.

Propane

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

Mirabito Energy Products- Firm Bid Price of \$1.34 per gal.

NO.125-2016 10/19/16 Rescind Resolution NO.121-2016 AwardBidProposalNo.1-16 Fuel
Janet Champlin made the following resolution:

WHEREAS, Suburban Propane did not submit a proper bid to the Town's Bid Specs for Bid Proposal No.1-16 Fuel;

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby rescinds Resolution NO.121-2016 dated 10/05/16 that Awarded Bid Proposal No. 1-16 Fuel to Suburban Propane of 6178 State Hwy 7, PO Box 25, Colliersville, New York 13747 for fuel to be delivered at various locations within the Town of Colchester.

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

NO.126-2016 10/19/16 Award #2 for Bid Proposal No. 1-16 Fuel

Greg Lavorgna made the following resolution:

BE IT RESOLVED that the Town Board of the Town of Colchester hereby accepts the bid from Mirabito Energy Products for Bid Proposal No. 1-16 Fuel at a rates of:

No.2 Heating Fuel - Firm Bid Price of \$2.0213 per gal.

Kerosene- Firm Bid Price of \$2.4813 per gal.

Winter Blend - Firm Bid Price of \$2.4708 per gal.

Diesel Fuel- Firm Bid Price of \$2.0108 per gal.

Propane - Firm Bid Price of \$1.34 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 Janet Champlin, Janet Champlin-aye, Greg Lavorgna-aye, Mark Mattson-aye, Arthur Merrill-aye, Julie Markert-absent, resolution declared adopted.

Councilwoman Julie Markert entered the meeting at 7:17PM.

Supervisor Merrill reported that we have received an application for a Public Facility Permit; the American Legion Auxiliary would like to have a soup/chili sale as a fund raiser on Sat., November 19th at the Pepacton Park. Board discussed.

NO.127-2016 10/19/16 Public Facility Permit No.13-2016

Janet Champlin made the following resolution:

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, November 19th from 10:00AM to 2:00PM for American Legion Auxiliary Fund Raiser (soup/chili 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. 31-2016 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 November 19, 2016.

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

Supervisor reported that we need to post notice before November 1st of the Seasonal Limited Use Highways and the Winter Road & Sidewalk Maintenance Public Notice. Highway Supt. Eck stated there were no changes. Board discussed.

NO.128-2016 10/19/16 Seasonal Limited Use Highways

Julie Markert made the following resolution:

WHEREAS, pursuant to Section 205-a of the Highway Law which authorizes the Town Highway Superintendent annually before November 1st to designate any highway without occupied residences or commercial buildings dependent upon the road access as a "Seasonal Limited Use Highway";

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby accepts the Highway Superintendent's recommendation to designate the following Town of Colchester Highways as Seasonal Limited Use Highways:

- Dry Brook Road
- Hawks Hollow Road
- Berg Brook Road
- Horse Brook Road- from the junction of Rogers Hill Road to Morton Hill Road
- Lower Russell Brook Road- from entrance of Russel Brook Campground northeasterly to said point of abandonment, being 523 feet.
- Upper Russell Brook Road- from its intersection with Morton Hill Road southwesterly to said point of abandonment, being 4,137 feet.
- Murphy Hill Road- from 1407 Murphy Hill Road to the end
- Baxter Mt. Road- from Rosencranse to the end

FURTHERMORE, these highways shall be appropriately posted that snow & ice removal and maintenance may be temporarily discontinued from December 01, 2016 until April 01, 2017. Resolution was seconded by Mark Mattson, all in favor, resolution declared adopted.

Mark Mattson made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester has hereby approved the Winter Road & Sidewalk Maintenance Public Notice to be posted.

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

PUBLIC NOTICE

- It is the Town of Colchester Highway Department's goal to keep Town Highways in a passable condition during the winter months. Any obstructions located in the Town's right-of-way may hinder the ability of snow removal and storage.
- In an attempt to clear roads, drivers try to be careful not to damage any obstruction in the right-of-way; however that is not always possible. Therefore, any damage which may be done to mailboxes and fences while the Town Highway Department is trying to maintain the roads during the winter, will no longer be repaired or replaced by the Town, but will be the owner's expense.
- Vehicles parked on the Town right-of-way are also a hindrance when trying to clear roads of snow. Attempts will be made to contact the owners of such vehicles so they can be removed. However, if the Highway Dept. is unable to reach the owner, or if the vehicle is not removed, the Town will have the vehicle towed, at the owner's expense.
- It is also a violation to plow snow across or shovel snow back into Town Highways when residents clear out their own driveways and/or sidewalks. Be it noted that violators will be prosecuted.
- Reminder to all Town of Colchester Residents, the Town has a Sidewalk Ordinance which states: Snow and ice shall be removed from sidewalks within twelve hours after the snow has stopped falling and that the sidewalk shall be continuously maintained to be kept free of snow and ice.
- Local Law No. 2-1989 states no person, firm, corporation, association or other organization shall commence the construction, enlargement, alteration, improvement of an access road or driveway from private lands to a Town Highway located in the Town of Colchester, without having applied for or obtained a Highway Access Permit from the Town Code Enforcement Officer.

Supervisor Merrill made the following announcements:

- Next Regular Board Meeting Wed., November 2nd with the Public Hearing at 7PM

Supervisor Merrill reported that Kevin Morse of Kaatirondack Benefit Planning Incorporated was here on October 7th with a proposal for health insurance for 2017: the renewal with ExcellusBCBS-SimplyBlue Plus Platinum 2 is an increase of 7.88%; ExcellusBCBS Gold 1 is a decrease of 7.49% but coverage is not the same or better which the Teamster require; MVP Platinum 5 will be a 17.94% increase and Empire BCBS PPO Fair Health Platinum will be a 51.10% increase. Board discussed.

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby offers the Excellus Blue Cross/Blue Shield SimplyBlue Plus Platinum 2 Health Care Plan for the Year 2017;

BE IT FURTHER RESOLVED, that it is the policy of the Town of Colchester that the Town will pay the full premium cost for full-time employees, with the exception of Members of the Teamsters Local Union No. 713, who contribute 6% of premiums; that the Town will pay for a single person plan for Full-Time Elected Officials, specifically, Town Supervisor, Town Clerk, and Superintendent of Highways; and if an elected official desires to purchase a health care plan

through the Town as an elected employee, he/she shall be reimbursed 50% of a single person insurance premium;

FURTHER RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to contact Kaatironmack Benefit Planning Inc. that the Town of Colchester hereby accepts the renewal contract of Excellus Blue Cross/Blue Shield SimplyBlue Plus Platinum 2 Health Care Plan for the Year 2017.

Resolution was seconded by Greg Lavorgna.

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

Town Supervisor, Arthur M. Merrill	voting aye
Councilperson, Janet Champlin	voting aye
Councilperson, Gregory L. Lavorgna	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.

Councilman Lavorgna commented that he and his wife would repair one of the eagles. Supervisor replied that he should give his contact information to Pio Deroda.

Town Attorney Michael DeGroat commented that he wanted to make the Board aware of a solar guide book for local governments; the website is: www.nyserda.ny.gov/solarguidebook.

Councilwoman Markert commented that at a recent meeting she had asked if the covered bridge barriers could be moved to allow snowmobiles to cross this winter; she was recently told that the trail was going to be closed, that a gate was going to be put on the Amato property. Board discussed trail route options.

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 No.19-2016; Voucher No.506-521; Totaling \$34,565.72.

Councilwoman Champlin inquired if the new police car was involved in an incident that caused any damage? Supervisor replied that he was not aware of anything.

With no further business, Mark Mattson made the motion for adjournment, seconded by Greg Lavorgna, all in favor, motion carried. Meeting adjourned at 7:30 PM.

Respectfully Submitted:

Julie B. Townsend
Town Clerk