

November 04, 2015

A Public Hearing was held by the Town Board of the Town of Colchester, Delaware County, New York on Wednesday, November 04, 2015 in the Town Hall for the purpose of hearing the public's comments on the Preliminary Budget for 2016. Proof of Notice having been read by the Town Clerk, the Public Hearing on the Preliminary Budget for 2016 was called to order by Supervisor Arthur M. Merrill.

The public asked questions regarding salaries and budget lines.

No one spoke in favor of the 2016 Budget.

No one spoke against of the 2016 Budget.

All persons desiring to be heard, having been heard, the Public Hearing was declared closed by Supervisor Merrill at 7:24 PM.

Respectfully Submitted:
Julie B. Townsend, Town Clerk

November 04, 2015

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held immediately following the Budget Public Hearing on Wednesday, November 04, 2015 at 7:24 PM at the Town Hall.

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

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, Greg Lavorgna, Joan Homovich, Vincent Picece, Dawn D'Addezio and Ed 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, October 21, 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.

VISITOR COMMENTS: Jeff Francisco of Delaware Engineering reported that there was nothing new on either grant proposals for the Cooks Falls Water District- Water System Rehabilitation Project or the Downsville Water District- Filtration of the DWD Spring System; he was here tonight to answer any questions; there were none at this time. Mr. Francisco commented that there are grant/loans to purchase fire and highway equipment.

Joan Homovich asked for a copy of the latest Operating Statement; Supervisor replied that the statement ending October 31, 2015 is submitted tonight and will make a copy for her.

CORRESPONDENCE:

- The Best Dam 5K/10K Committee (Katie Mattson & Sarah Hood) - Thank You for continued support; this year's Best Dam 5K/10K Run Walk Paddle raised \$3,000 for the TofC Pool.

- NYSDOT-copy of response sent to Dayette Zampolin in regards to her concerns relating to parking and cell phone use on NYS Route 206at NYS Route 30; in review. Supervisor commented that the traffic light has been changed and is working with the crosswalk signal.
- CWC - Watershed Currents October 2015 Newsletter.
- NYSDOH- Water System Field Compliance Report: a Review of Compliance with Subpart 5-1 of the NYS Sanitary Code for the DWD & CFWD.

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

- Cooks Falls Water District- October 2015- 24 customers balance due \$2,541.51; Receipts of \$3,065.01 disbursed to Supervisor.
- Downsville Water District- October 2015- 82 customers balance due \$9,008.59; Receipts of \$18,315.31 disbursed to Supervisor.
- Town Clerk- October 2015- Total disbursed \$1,672.51 of which \$1,587.01 was Town revenues.
- Police- October 2015.
- Supervisor- Operating Statement for the Period Ending 10/31/2015.
- Town Justice Arthur C. Edel- October 2015.

Highway Supt. Kenneth Eck reported that Holiday Brook Bridge is open and has been paved; still needs guide rails; Payment Application No. 1 to R.DeVincentis Construction, Inc. in the amount of \$171,319.20 is in tonight's vouchers for Contract No. TC-2015-01, the FEMA#1710-PW150-H4 Holiday Brook Road Bridge Project.

Highway Supt. Eck reported that JB12 Corp has installed the deck on the bridge for FEMA#1710-PW150-H5 Berg Brook Road Bridge Project; paving tomorrow; this also needs guide rails.

Highway Supt. reported that the 2016 Freightliner Truck should be delivered next week.

Supervisor reported that we have received word from Senator John Bonacic, that a new round of grants is available, up to \$100,000; looking at DWD for the Filtration of Springs Project; if the CDBG grant does not come through, we may have to seek a loan from NYS Rural Water.

Supervisor Merrill commented that DASNY would like a commitment from us to fund the balance of the Town Hall Renovation Project; we have been awarded a grant from the State and Municipal Facilities Capital Program for the renovation of the Town Hall, SAM Project #6828 in the amount of \$50,000; we have estimated that the project will cost \$64,000. Board discussed.

NO.114-2015 11/04/15 Commitment for SAM Project #6828

Julie Markert made the following resolution:

WHEREAS, the Town of Colchester has been awarded a grant from the State and Municipal Facilities Capital Program for the renovation of the Town Hall, SAM Project #6828; and

WHEREAS, the total cost of said renovation project may not be covered by the SAM Grant;

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester will hereby provide the balance of funds necessary to complete the project.

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

Supervisor inquired if there was any discussion on the 2016 Budget then asked that it be adopted.

NO.115-2015 11/04/15 2016 Budget Adopted

Mark Mattson made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby accepts the Town of Colchester Preliminary Budget for 2016 as presented and that it be adopted as the Final 2016 Budget.

Resolution was seconded by Julie Markert. 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, Julie A. Markert	voting aye
Councilperson, Mark W. Mattson	voting aye
Councilperson, Gilbert D. Close	voting aye

The resolution having received majority vote of the members of the Town Board of the Town of Colchester, the 2016 Budget was declared to be duly adopted. And hereby affixed one certified copy of the 2016 Budget.

Supervisor Merrill reported that the bid opening for Bid Proposal No.02-15 Mower/Brush Machine was held tonight at 6:55PM; we received one bid from Tracey Road Equipment for a used 2013 TS6.110 New Holland Turnkey Road Side Mower, with 20' Alamo Versa-Boom & 60" Alamo rotary mower head in the amount of \$75,900.00. Board discussed.

NO.116-2015 11/04/15 Award Bid No. 02-15 Mower/Brush Machine

Janet Champlin made the following resolution:

WHEREAS, the Town of Colchester had advertised for bids for Bid No.02-15 Mower/Brush Machine; and

WHEREAS, one bid was received and opened on November 04, 2015; and

WHEREAS, after reviewing the bid, Highway Supt. Kenneth Eck recommends awarding said bid to the lowest responsible bidder, Tracey Road Equipment of 6803 Manlius Center Road, East Syracuse, New York; and

WHEREAS, after reviewing the bids, Town Attorney also recommends awarding said bid to the lowest responsible bidder, Tracey Road Equipment;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby awards Tracey Road Equipment the Bid Proposal No. 02-15 Mower/Brush Machine with a bid price of \$75,900.00.

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

Supervisor Merrill reported that we have received an Application for Use of Town Facilities from Janet Champlin to use the Pepacton Park for parking approximately 15 cars; she has organized a bus trip to NYC Rockettes on Friday, Dec. 11th. Board discussed.

NO.117-2015 11/04/15 Public Facility Permit No.14-2015

Mark Mattson made the following resolution:

WHEREAS, Janet Champlin on behalf of a bus trip to see The Rockettes, has applied for a Public Facility Permit to use the Pepacton Park located at 15500 State Hwy 30, on Friday, December 11th from 7:00AM to 9:00PM for parking approximately 15 cars;

THEREFORE BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the Town Clerk to issue Public Facility Permit No.14-2015 to Janet Champlin for the use of the Pepacton Park located at 15500 State Hwy 30, Downsville, NY on December 11, 2015.

Resolution was seconded by Julie Markert, Gilbert Close-aye, Mark Mattson-aye, Julie Markert-aye, Arthur Merrill-aye, Janet Champlin-abstain, resolution declared adopted.

Supervisor reported that Kevin Morse of Kaatirondack Benefit Planning Inc. was here on October 29th to discuss the 2016 health insurance renewal and options; Supervisor presented a packet to each Board Member and they reviewed the options. Board agreed to continue with the Excellus Blue Cross/Blue Shield SimplyBlue Plus Platinum 2 Health Care Plan; there is a 12.78% increase in premium for 2016.

NO.118-2015 11/04/15 Excellus BC/BS Health Care Contract

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 2016;

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. 693, 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 Kaatirondack 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 2016.

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 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.

Supervisor Merrill reported that we have received the Letter of Understanding from the auditors, Mostert, Manzanero & Scott LLP for the 2015 audit; estimated cost is the \$300 more than last year for a total of \$10,200; we have budgeted \$11,000. Board discussed.

NO.119-2015 11/04/15 Mostert, Manzanero & Scott LLP 2015 Audit

Upon recommendation from the Supervisor, Gilbert Close made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorize Supervisor Arthur M. Merrill to sign the Letter of Understanding with Mostert, Manzanero & Scott, LLP Certified Public Accountants of 4 Associate Drive, Oneonta, New York to provide the 2015 Audit for the Town of Colchester at an estimated fee of \$10,200.00.

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

Highway Supt. Eck reported that he and the Supervisor conducted two interviews for the Highway Dept.; Highway Supt. recommends that we hire Tim Wilbur full-time as of the 1st of the year; he will continue to work at the part-time highway laborer rate until the end of the year and then receive the HEO1Provisional 1st year rate in January. Highway Supt. also recommends that we hire Keith Murphy on a call-in basis as needed status at the part-time rate of \$12.65. Board discussed.

NO.120-2015 11/04/15 Hire Timothy R. Wilbur HEO1as of 01-01-2016

Gilbert Close made the following resolution:

BE IT RESOLVED, that the Superintendent of Highways for the Town of Colchester, be authorized to hire Timothy R. Wilbur as a HEO1Provisional 1st year Employee effective January 01, 2016 at the 2016 corresponding rate of \$16.15 per hour with benefits.

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

NO.121-2015 11/04/15 Hire Call-in Temporary Highway

Mark Mattson made the following resolution:

BE IT RESOLVED, that the Superintendent of Highways for the Town of Colchester, be authorized to employ on a call-in basis, Keith L. Murphy as needed, as a Part-Time Highway Employee at an hourly rate of \$12.65 per hour with no benefits.

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

Councilwoman Markert commented that we need to have a cell-phone policy; it is a huge issue.

Supervisor commented that we have everything in order to hire Rich Pagillo as a full-time police officer; to be a full-time police you must meet all the requirements of Delaware County Civil Service; this would become effective the first of the year, but we need to do this now before the next Civil Service Test Results are posted. Board set the full-time rate for Police Officer at \$23.00 per hour. Board discussed further.

NO.122-2015 11/04/15 Permanently Appoint Richard A. Pagillo as Police Officer

Gilbert Close made the following resolution:

WHEREAS, on December 18, 2013 the Town Board of the Town of Colchester appointed Richard A. Pagillo as a Part-Time Police Officer; and

WHEREAS, on November 15, 2014 Richard A. Pagillo took and passed the Police Officer Exam for Delaware County Residents, placing him on the Civil Service List;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby permanently appoints Richard A. Pagillo a Full-Time Town of Colchester Police Officer at the pay rate of \$23.00 per hour with benefits effective January 01, 2016;

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes Supervisor Arthur M. Merrill to complete the required Delaware County Personnel form, which removes Richard A. Pagillo from the Delaware County Police Officer Certification of Eligible List.

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

Supervisor Merrill stated that if any orders are anticipated for this year, they should be ordered by Dec. 1st, so that the billings and payments will be processed before the end of the year; hopefully then the Auditors will not back out transactions in 2016 for 2015.

Supervisor Merrill made the following announcements:

- Town Hall Offices Closed Wed., November 11th
- Next Regular Board Meeting Wed., November 18th
- Town Clerk's Office Closed Wed., November 18th

Supervisor reported that the 2016 County Budget has been presented; Public Hearings have been held and another one is scheduled before their next meeting; "County Bed Tax" still on the agenda; Supervisor Merrill is still opposed on this.

Councilwoman Markert commented that she saw a solar powered sign in the Town of Meredith and asked if this could be done for our sign on Horton Brook Road? Highway Supt. Eck replied that we are looking into this type of sign.

Councilwoman Markert stated again that we need a cell phone policy; does the County have a policy that we can adopt? This needs to be addressed. Town Attorney commented that he will send a couple samples to the Supervisor.

Town Attorney, Michael DeGroat commented that the Town should review our bidding process and adopt a local law regarding best cost for Town; under the General Municipal Law it allows

the best value bid; Town can consider the best cost; bid services or contracts with other factors not just price; he will research further and present to Board at a later date.

Supervisor reported that representatives for Selective Insurance was here today for a review; they have a couple of items they would like us to adopt; they also questioned the alarm system at the highway garage; we have a lot of assesses in that building; they suggest that the fire alarm rings into the fire station.

Joan Homovich inquired about the status of the eagle carvings. Supervisor replied that they are the property of the Town; very soon they will be taken down for the winter; they will have the cracks filled and preserved.

Ms. Homovich also commented that the police sedan has been seen crossing the covered bridge with another car; bridge signs state one vehicle at a time.

SUBMISSION OF BILL/EXPENSES: Gilbert Close 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.20-2015; Voucher No.580-615; Totaling \$327,575.03.

Julie Markert made the motion to go into executive session to discuss personnel issues, seconded by Mark Mattson, all in favor, motion carried. Board entered executive session at 8:17 PM. Town Attorney was invited to stay. Board held discussion. Janet Champlin made the motion to enter back into regular session, seconded by Julie Markert, all in favor, motion carried. Board entered regular session at 8:23 PM. Board made no decision forthcoming.

With no further business, Janet Champlin made the motion for adjournment, seconded by Gilbert Close, all in favor, motion carried. Meeting adjourned at 8:23 PM.

Respectfully Submitted:

Julie B. Townsend
Town Clerk