

November 15, 2017

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, November 15, 2017 at 7:00 PM at the Town Hall.

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: Kenneth R. Eck, Jr.-Highway Supt., Michael P. DeGroat-Town Attorney, Officer Cawley, Joan Homovich, Mary Brawley-Faut and Bonnie Seegmiller.

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, November 01, 2017 had been distributed earlier. Janet Champlin made the motion to accept the minutes as written, seconded by Greg Lavorgna, all in favor, motion carried.

VISITOR COMMENTS: none

CORRESPONDENCE:

- Association of Towns- Webinar “Just Elected- What Do You Do Now” on Dec. 7th; New Town Officials schools Jan. 10-12 in Albany or Jan. 17-19 in Rochester.
- CWC- Notice of Preliminary Decisions – Septic Rehabilitation and Replacement Program reimbursement to one Colchester resident.
- CWC- Watershed Currents- Rededication of restored Pepacton Cemetery was held on Nov.9.

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

- Town Justice DeRosia- October 2017.
- Town Justice Edel- October 2017.

Supervisor Merrill reported that Delaware Engineering has submitted Payment No. 4 for Louis Banker in the amount of \$10,721.62 for the Cooks Falls Water District Water System Improvements Project- DWSRF #16601.

Town Attorney reported that we can move forward with the Reserve Accounts; we can add funds to the Reserve Accounts we have; he will have a resolution to establish a Repair Reserve Account for emergencies at the next meeting. Supervisor added that we need a Town Policy stating what our policy/plan is for surplus funds; we need this by year end.

Supervisor reported that a negotiation meeting is scheduled for Nov. 17th with the Teamsters.

Supervisor Merrill reported that he met with Tara Donadio, a Clean Energy Communities Coordinator of Cornell University Cooperative Extension of Delaware County last week; we filed on-line with the NYSERDA Grant, the two resolutions we adopted and the CEO to get Certification; we are getting information on our 4th project, charging station, then we will be eligible to apply.

Supervisor reported that we need to do a budget amendment for the Downsville Water District as we received Requisition No. 1 from NYSEFC for the DWSRF #17537 Project. Board discussed.

NO.103-2017 11/15/17 Budget Amendment for DWD

Janet Champlin made the following resolution:

WHEREAS, the Downsville Water District has made Requisition Number 1 to the New York State Environmental Facilities Corporation in the amount of \$26,075.69 for the DWD DWSRF #17537 Project; and

WHEREAS, the Town of Colchester has received said NYSEFC funds in the amount of \$26,075.69;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to amend the 2017 Budget by increasing the DWD Revenue State Aid/Water Capital Project Fund #3991.08 by \$26,075.69 and increasing the DWD Appropriations Rehabilitation Grant Fund #8668.4.08 by \$26,075.69.

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

Supervisor Merrill reported that a single grave has been sold twice at Paige Cemetery; since a burial has taken place in this grave, the first purchase must be voided and their money returned to them. Board discussed.

NO.104-2017 11/15/17 Purchase Back One Grave Plot at Paige Cemetery

Julie Markert made the following resolution:

WHEREAS, an error was made in the Year 2013 where a single grave plot in Paige Cemetery had been sold twice, the original purchase was made in the Year 2010; and

WHEREAS, a burial was conducted in this single grave plot in 2013;

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorize Supervisor Arthur M. Merrill to purchase back on behalf of the Town of Colchester the deed for one single Grave Plot #9 of Lot #519 in the West Section at Paige Cemetery at the original purchase price of \$300.00 made payable to Joan Oliver.

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

Supervisor recommends Mostert, Manzanero & Scott to perform the 2017 Town Audit; there is an increase of \$300.00 and the 2018 Budget will support this. Board discussed.

NO.105-2017 11/15/17 Mostert, Manzanero & Scott LLP 2017 Audit

Upon recommendation from the Supervisor, Janet Champlin 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 2017 Audit for the Town of Colchester at an estimated fee of \$10,700.00.

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

Supervisor Merrill reported that we have received notice from Time Warner that they would like to renew their Franchise; NYS Public Service Commission requires a public hearing; Time Warner is now Charter Communications; they would like the franchise renewal for 15 years, Town Attorney suggests a term of ten years. Board discussed.

NO.106-2017 11/15/17 Public Hearing Time Warner Franchise

Mark Mattson made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby gives notice that the Town Board will hold a Public Hearing for the approval of a Cable Television Agreement between Time Warner Cable Northeast LLC and the Town of Colchester. Such public hearing will be held Wednesday, the 6th day of December, 2017 at the Town Hall, 72 Tannery Road, Downsville, New York;

FURTHER RESOLVED, that further notice is hereby given that the regular monthly meeting of the Town Board will be held immediately following the Public Hearing.

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

Supervisor reported that we have been paying a Frontier bill for the CFWD well pump, this was for an emergency call forward number; the pump is not working, therefore we have discontinued this service.

Town Clerk/Water Clerk explained that the software program for the water districts has been having problems; when the new rates for DWD was changed, the program crashed; we have been looking into a new program the last couple of years; in 1996 Joe Accardi designed a water billing program for DWD at minimal charge; in 2009 Lorna Taber designed a program for both water districts using Microsoft Office Access Database at no cost; we use BAS (Business Automation Services, Inc.) for the Town Clerk software, they also have Utility Billing Software; they have quoted us \$2,500 for the first year and then \$1,200 a year for support; 30% from CFWD and 70% from DWD to pay the costs. Clerk Townsend suggests purchasing this software from BAS; support has been excellent with the Town Clerk Software. Board discussed.

NO.107-2017 11/15/17 BAS Utility Billing Software

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes the Town Clerk to purchase a Utility Billing Software Package from Business Automation Services, Inc. at a purchase price of \$2,500.00 for the use of the Cooks Falls and Downsville Water Districts.

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

Highway Supt. Kenneth Eck reported that we have had problems in the past with vehicles being parked in the Town's right-of-way; we are not able to remove snow; what can we do? Town Attorney stated that we could adopt a local law that we can enforce with a penalty; Town Attorney will work on this.

Supervisor Merrill commented that Officer Cawley has been researching a new police vehicle; VanBortel quoted a police vehicle state contract for \$36,029.80, this does not include a cage, console or radio; Supervisor reported that we have funds available; the 2014 Taurus has over 60,000 miles; will take six months to get; quote is good for 60 days. Board discussed and decided to discuss further.

Supervisor reported that the Cemetery Crew have tested a SCAG zero turn mower; we have funds to purchase this year; if we order now, we will have for the spring; Cemetery Crew would like to have a John Deere like they have, but they do not make it anymore; the SCAG is around \$7,500. Supervisor will submit quotes at the next meeting.

Supervisor Merrill made the following announcements:

- Town Hall Offices Closed Thursday & Friday, Nov. 23rd & 24th
- Next Regular Board Meeting Wed., December 6th with the Public Hearing at 7PM

Councilwoman Markert commented that she heard that DWD WPO Ron MacDonald is working full-time for the County; are we going to train anyone else? Supervisor replied that Ron has been doing his daily jobs for us with no problem; we have Tom Buchholz as a backup and he is certified. Councilman Lavorgna commented that we still have an issue for CFWD at DeRosia's. Supervisor replied that Ron said he would help CFWD with this issue. Board discussed further.

Mary Brawley-Faut inquired if Time Warner was coming to the area? Supervisor replied that they have a franchise area that is in Cooks Falls. Town Attorney commented that TW has a non-conclusive contract/franchise; costs prohibit doing all of Colchester; the Town can not favor one over the other, must be the same/equal contracts.

Joan Homovich inquired to the status of the police computer that was in the Tahoe? Officer Cawley replied that it is in storage.

SUBMISSION OF BILL/EXPENSES: Julie Markert made the motion, seconded by Janet Champlin, that the vouchers be approved, subject to any corrections or deletions, all in favor, motion carried. Abstract No.21-2017 Voucher No.573-598; Totaling \$80,706.28.

Supervisor reported that at the last Board of Supervisors meeting, DPW pulled the resolution to pursue the McFarlan property for the new DPW highway building. Board discussed.

Upon recommendation of the Supervisor, Mark Mattson made the motion to go into executive session to discuss police personnel issues, negotiations and possible litigation, seconded by Greg Lavorgna, all in favor, motion carried. Board entered executive session at 8:15 PM. Officer Cawley, Highway Supt. and Town Attorney were invited to stay. Board held discussion. Janet Champlin made the motion to enter back into regular session, seconded by Greg Lavorgna, all in favor, motion carried. Board entered regular session at 9:02 PM. Board made no decision forthcoming.

With no further business, Mark Mattson made the motion for adjournment, seconded by Julie Markert, all in favor, motion carried. Meeting adjourned at 9:02 PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk