

December 20, 2017

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

Present:	Arthur M. Merrill	Supervisor
	Janet L. Champlin	Councilwoman
	Julie A. Markert	Councilwoman
Absent:	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, 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, December 06, 2017 had been distributed earlier. Janet Champlin made the motion to accept the minutes as written, seconded by Julie Markert, Janet Champlin-aye, Julie Markert-aye, Arthur Merrill-aye, Mark Mattson-absent, Greg Lavorgna-absent, motion carried.

VISITOR COMMENTS: none

CORRESPONDENCE:

- NYC Environmental Protection- Notice of Completion of Final Environmental Impact Statement.
- NYSDEC- Mined Land Reclamation Permit for Harmonie Farms Gravel Bank on River Road; permits for the operation of a 4.73acre Life of Mine sand and gravel mine.
- NYS Dept. of Health- Cooks Falls Water District- lead and copper sampling for the period of June-September 2017; “action levels” for both lead and copper has been exceeded and we must initiate corrective and educational activities. Town Clerk stated that notices will go out with the January 2018 water bills.
- NYC Environmental Protection- Announces Record Year for Kayak and Canoe Rentals as Recreational Boating Grows.
- Delaware County Dept. of Economic Development- DC Tourism Advisory Board is now accepting applications for funding under the newly created Tourism Promotion & Development Grant program.
- NYS Senator John J. Bonacic- Grant Award of \$37,791; ½ of early warning system.

REPORTS: none

Supervisor Merrill reported that there are vouchers in tonight for the DWD DWSRF Project No.17537 to pay Delaware Engineering; we would like to submit Requisition No.2 in the amount of \$7,354.77; this is for Invoice #5 and #6 to Del. Eng. and postage we paid. Board discussed.

NO.113-2017 12/20/17 DWSRF 17537 Requisition No. 2

Janet Champlin made the following resolution:

WHEREAS, the Town of Colchester has applied for funding for the Downsville Water District Springs Project, D0-17537; and

WHEREAS, the NYS Environmental Facilities Corporation has approved the aforementioned application; and

WHEREAS, the Town may now request disbursements for project costs; and

WHEREAS, such funds will be automatically deposited in the project account,

THEREFORE BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes the Town Supervisor to sign and submit such paperwork as is necessary to receive said funds in the amount of \$7,354.77 for Requisition No.2.

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	absent
Councilperson, Gregory L. Lavorgna	absent

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

Supervisor presented a proposed Surplus Fund Balance Policy. Board discussed.

NO.114-2017 12/20/17 Surplus Fund Balance Policy

Julie Markert made the following resolution:

WHEREAS, surplus fund balances are a common and necessary aspect of the annual municipal budgeting process; and

WHEREAS, in accordance with our auditors' advice and requirements of the NYS Comptroller it is incumbent upon the Town of Colchester to adopt a policy in regard to such fund balances,

THEREFORE BE IT RESOLVED, that the Town Board of the Town of Colchester adopts the following Policy Guidelines:

- A. Fund balances will be appropriated in the annual budget by Board resolution.
- B. Surplus Funds will be allocated to the following Reserve Accounts
 1. Repair Reserve Fund Account No. ending in 7554
 2. General Capital Reserve Fund Account No. ending in 5558
 3. Highway Capital Reserve Fund Account No. ending in 1719
 4. Police Vehicle Reserve Fund Account No. ending in 1479

Resolution was seconded by Janet Champlin.

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	absent
Councilperson, Gregory L. Lavorgna	absent

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

Supervisor Merrill submitted fund balances and recommendations of where to place surplus funds; he explained surplus balances from 2011 to 2016; Supervisor suggests closing out one FEMA Account and leaving approximately \$50,000 in the other FEMA Account, making the new Repair Reserve Fund in the amount of \$2,240,000; he also made the recommendation to add \$450,000 to the Highway Capital Reserve Fund and \$250,000 to the General Capital Reserve Fund. Board discussed.

NO.115-2017 12/20/17 Resolution Establishing the "Repair Reserve Fund of the Town of Colchester" Under Section 6-D of the General Municipal Law

Janet Champlin made the motion, seconded by Julie Markert that the Town Board of the Town of Colchester, duly convened in regular session, does hereby resolve as follows:

SECTION 1. That there be and hereby is established a repair reserve fund in the amount of \$5,000,000 (five million dollars) for future repairs to or improvement of the facilities of the Town of Colchester, including all capital improvements within the Town.

SECTION 2. Such fund is to be known as the "Repair Reserve Fund of the Town of Colchester".

SECTION 3. That the estimated maximum cost of the said capital improvements or repairs is the sum of \$5,000,000 (five million dollars).

SECTION 4. That out of the surplus moneys of said Town now on hand for the year 2017 and not otherwise appropriated, the sum of \$2,240,000.00 (two million, two hundred forty thousand dollars) be and the same hereby is appropriated for the "Repair Reserve Fund of the Town of Colchester" and the Supervisor of the Town is hereby authorized, empowered and directed to transfer from surplus funds of said Town the sum of \$2,240,000.00 (two million, two hundred forty thousand dollars) to the fund.

SECTION 5. Such additional sums as may hereafter be appropriated shall become part of the fund.

SECTION 6. The moneys in the fund shall be deposited in a separate bank account in Community Bank.

SECTION 7. The Supervisor, in his discretion, may invest the moneys in the fund in the manner provided in Section 6-c and Section 10 of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the fund.

SECTION 8. No expenditure shall be made from the fund except by authorization of the Town Board of the Town of Colchester pursuant to the provisions of Section 6-d and Section 10 of the General Municipal Law of the State of New York.

SECTION 9. This resolution shall take effect immediately.

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	absent
Councilperson, Gregory L. Lavorgna	absent

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

NO.116-2017 12/20/17 Transfer Surplus Moneys to the Highway Capital Reserve Fund

Julie Markert made the motion, seconded by Janet Champlin that the Town Board of the Town of Colchester, duly convened in regular session, does hereby resolve as follows:

SECTION 1. That out of the surplus moneys now on hand for the year 2017 and not otherwise appropriated, the sum of \$450,000.00 (four hundred fifty thousand dollars) be and the same is hereby appropriated to the Highway Capital Reserve Fund and the Supervisor of the Town is hereby authorized, empowered and directed to transfer from surplus funds of the Town the sum of \$450,000.00 (four hundred fifty thousand dollars) to the fund with the account number ending in 1719.

SECTION 2. Such additional funds, as may hereafter be appropriated, shall become part of the fund.

SECTION 3. The moneys in the fund shall be deposited in a separate bank account in Community Bank.

SECTION 4. The Supervisor, in his discretion, may invest the moneys in the fund in the manner provided in Section 6-c and Section 10 of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the fund.

SECTION 5. No expenditure shall be made from the fund except by authorization of the Town Board of the Town of Colchester pursuant to the provisions of Section 6-c and Section 10 of the General Municipal Law of the State of New York.

SECTION 6. This resolution shall take effect immediately.

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 absent

Councilperson, Gregory L. Lavorgna absent

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

NO.117-2017 12/20/17 Transfer Surplus Moneys to the General Capital Reserve Fund

Janet Champlin made the motion, seconded by Julie Markert that the Town Board of the Town of Colchester, duly convened in regular session, does hereby resolve as follows:

SECTION 1. That out of the surplus moneys now on hand for the year 2017 and not otherwise appropriated, the sum of \$250,000.00 (two hundred fifty thousand dollars) be and the same is hereby appropriated to the General Capital Reserve Fund and the Supervisor of the Town is hereby authorized, empowered and directed to transfer from surplus funds of the Town the sum of \$250,000.00 (two hundred fifty thousand dollars) to the fund with the account number ending in 5558.

SECTION 2. Such additional funds, as may hereafter be appropriated, shall become part of the fund.

SECTION 3. The moneys in the fund shall be deposited in a separate bank account in Community Bank.

SECTION 4. The Supervisor, in his discretion, may invest the moneys in the fund in the manner provided in Section 6-c and Section 10 of the General Municipal Law of the State of New York. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become a part of the fund.

SECTION 5. No expenditure shall be made from the fund except by authorization of the Town Board of the Town of Colchester pursuant to the provisions of Section 6-c and Section 10 of the General Municipal Law of the State of New York.

SECTION 6. This resolution shall take effect immediately.

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 absent

Councilperson, Gregory L. Lavorgna absent

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

Supervisor Merrill made the recommendation that we hire Lucas Elmore to remove snow for the sidewalks of our vacant lot and the bridge on Main Street, also at Town Hall. Board discussed.

NO.118-2017 12/20/17 Hire Lucas Elmore for Snow Shoveling

Julie Markert made the following resolution:

BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorize the Town Supervisor to hire Lucas Elmore of 66 Clark Street Ext., Downsville to shovel snow off the bridge located at 15105 State Hwy 30, Downsville and other Town facilities as needed, by voucher and at the rate of \$10.00 per occasion.

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

Supervisor stated that many have asked if the ice skating rink was going to be up this year. This is a good question; needs a new liner; price quoted on-line was \$403.75. Board held discussion; Board discussed moving the ice skating rink due to the fact that the road salt on NYS Highway 30 sprays back and is causing problems; suggested sites were: Covered Bridge Park; vacant Town lot on Main Street next to Dukes and the swimming pool area. Highway Supt. Eck volunteered to get plastic for a new liner and that the Highway would install the rink. Board discussed further and agreed to move to the pool location this year.

NO.119-2017 12/06/17 Ice Skating Rink

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes the Supt. of Highways to purchase material for the replacement of the ice skating rink liner; and

FURTHER RESOLVED, that the Town Board authorizes the Highway Department to install said ice skating rink at the Town's Pool location.

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

Supervisor Merrill reported that we have had some extra expenses regarding some of the donated items/projects, but they all have been for the "good of the Town".

Supervisor asked for a motion to hold the Organizational Meeting on Wednesday, January 03, 2018. Board discussed.

NO.120-2017 12/06/17 Organizational Meeting

Julie Markert made the following resolution:

RESOLVED, that pursuant to the Open Meeting Law, (Public Officers Law, Article 7) that the Town of Colchester Town Board will hold its Organizational Meeting on Wednesday, January 03, 2018 at 7:00 PM at the Town Hall, 72 Tannery Road, Downsville, New York;

BE IT FURTHER RESOLVED, that the regular meeting be held immediately following the Organizational Meeting.

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

Supervisor Merrill reported that we have reached an agreement with the Teamsters: a four year term agreement; with a fifty-cent raise for 2018; added a title of Shop Foreman and Job Foreman; look at health insurance plans in 2018 for the year 2019. Board discussed.

NO.121-2017 12/06/17 Ratify Agreement with Teamsters Local Union No. 713

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby ratifies a four year agreement with the Teamsters Local Union No. 713.

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

Supervisor read a Letter of Resignation from Susan Early as Deputy Town Clerk; Susan has enjoyed working for the Town the last fifteen years; since her husband is retired now and they have grandchildren, it is time to spend time with family; she hopes to volunteer her time when she can. Board discussed.

NO.122-2017 12/06/17 Accept Letter of Resignation Susan D. Early

Julie Markert made the following resolution:

WHEREAS, on December 20, 2017, Town Clerk Julie Townsend was presented with a letter of resignation from Susan D. Early as Deputy Town Clerk;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby accepts said Letter of Resignation from Susan D. Early as Deputy Town Clerk of the Town of Colchester effective December 31, 2017;

FURTHER RESOLVED that the Town Board hereby thanks Susan for her many years of service to the township and wishes her well in future endeavors.

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

Board held a discussion of hourly rates for 2018; these rates will be adopted at the Organizational Meeting.

Supervisor reported that he has received information on the Tappan Zee Bridge panels; at this time there are no panels available; if we were still interested they would try to see if another County/Township had extra panels; we would have to provide a crane and arrange shipment.

Supervisor Merrill made the following announcements:

- Town Clerk's Office Closed Monday Dec. 25th & Tuesday Dec. 26th & Monday, Jan. 1st
- Next Regular Board Meeting Wed., January 3rd with Organizational Meeting at 7PM

SUBMISSION OF BILL/EXPENSES: Julie Markert made the motion, seconded by Janet Champlin, that the vouchers be approved, subject to any corrections or deletions, Janet Champlin-aye, Julie Markert-aye, Arthur Merrill-aye, Mark Mattson-absent, Greg Lavorgna-absent, motion carried. Abstract No.23-2017 Voucher No.637-672; Totaling \$56,038.62.

Board held a brief discussion on safety procedures at the Transfer Station.

With no further business, Julie Markert made the motion for adjournment, seconded by Janet Champlin, Janet Champlin-aye, Julie Markert-aye, Arthur Merrill-aye, Mark Mattson-absent, Greg Lavorgna-absent, motion carried. Meeting adjourned at 8:24 PM.

Respectfully Submitted:

Julie B. Townsend
Town Clerk