

October 03, 2018

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, October 03, 2018 at 7:00 PM at the Town Hall.

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

Others present: Kenneth R. Eck, Jr.-Highway Supt., Michael DeGroat-Town Attorney, Mike Martin-The Reporter, Bonnie Seegmiller, Joan Homovich, Alan Donner, Mary Brawley-Fuat, Steve Finch, Glen Faulkner, Don Bramley, Jeannie Langdon, Steven Navratil, Dayette and Tom Zampolin, Rich and Margo Pelka, Colleen Griffith and Shirley Homovich.

The Meeting was called to order by Supervisor Arthur M. Merrill and he led the group in the Pledge of Allegiance.

The minutes of the last regular meeting, September 19, 2018 had been distributed earlier. Janet Champlin made the motion to accept the minutes as written, seconded by Mark Mattson, all in favor, motion carried.

GUESTS: MTC personnel – Steve Finch, Glen Faulkner & Don Bramley. Presentation of information on increased broadband coverage for areas in the Town of Colchester with limited or no coverage. They plan to have 110 poles in by the end of November with service available after the first of the year. Their goal is to have 2/3 to 3/4 of township covered. There will be a generator back-up and battery back-up boxes available for individual houses.

VISITOR COMMENTS: Steven Navratil, Downsville Fire Department, presented a new type of fire hydrant cap which would save time for hooking up hoses. He would like the Board to put in next year's budget the funds needed to purchase up to 38 caps, approximately \$143/cap. Supervisor Merrill replied that the hydrants belonged to the water district and there is no extra money there. Attorney Michael DeGroat will look into who could budget for them or if there is grant money available.

Rich Pelka – Emerald Hollow Road conditions horrible. Ken said scheduled to be done in next two weeks – would have been done sooner but too much rain.

Supervisor Merrill – ProAct prescription savings card free for everyone. Covers what your insurance doesn't. He will get a supply of wallet sized cards to hand out or anyone can print a larger one from the internet.

CORRESPONDENCE:

- NYS Ag & Markets: Dog Control Officer Inspection Report 9/2/2018 – satisfactory.
- Beaverkill Valley Fire District Budget Hearing 10/16/18, 7PM at Lew Beach Fire House
- Downsville Fire District Budget Hearing 10/17/18, 7PM at the Fire Hall
- NYC Environmental Protection-new communications tower in Tompkins

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

- Cooks Falls Water District- September 2018- 20 customers balance due \$2,501.00; Receipts of zero disbursed to Supervisor.
- Downsville Water District- September 2018- 45 customers balance due \$8,831.05; Receipts of zero disbursed to Supervisor.
- Town Clerk- September 2018- Total disbursed \$1,046.00 of which \$1,003.50 was Town revenues.
- Police- September 2018 Activity Report.
- Town Justice Edel- September 2018.

OLD BUSINESS:

Downsville Water District project – nothing new from Jeff Francisco

Cooks Falls Garage Project – Ken Eck to go there tomorrow

Clean Energy Communities Program/Grant – Bonnie Seegmiller said it's moving ahead. Next step is setting the pole. She asked Hwy Supt Eck to get a cost estimate for setting the pole. It's possible MTC will set it and not charge.

Walking Bridge – Should be hearing from Mike O'Reilly soon

NYCDEP Downsville Water District Contract – Ron McDonald, Art Merrill and Jeff Francisco met. Need to consult with Attorney DeGroat on some legal issues.

J & A Gravel's sand shaker – Ken Eck presented 3 quotes in addition to J & A's for the purchase of a sand shaker: Heavy Equipment Sales - \$115,000.; Mideast Equipment Supply - \$34,900; Maquinaria Wiebe Cuauhtemoc - \$17,700; J & A - \$9,000. Board discussed.

No. 87-2018 10/03/18 Purchase of Sand Shaker

Mark Mattson made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester accepts the quote of J & A's for a used 1986 sand shaker, and hereby authorizes Hwy Supt Kenneth Eck to purchase in the amount of \$9,000 in the best interest of the town.

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

Eagle Contracts: Need to be rewritten

GENERAL DISCUSSIONS:

Attorney Mike DeGroat said there wouldn't be a conflict of interest for Councilwomen Julie Markert if her husband Tom Markert was hired to work for the town if she would recuse herself from the discussion and voting in this instance and that payment would be according to the county bid contract prices.

Hwy Supt Eck reported that there are two large projects that he'd like to contract out right away. On Huntly Hollow there are many trees in the brook and on Mary Smith Hill a rotational failure which is causing major water damage. The Board approved Ken Eck hiring contractors immediately, payment according to the county bid contract. Hwy Supt also requested that Colleen Griffith be allowed to work 20 hours/week to handle the paperwork.

Supervisor Merrill reminded everyone that there is a meeting tomorrow with the H.I. carrier.

Supervisor reported the Town Clerk presented the past due water bills and by law we need to make a resolution to add them to the property tax bills. Board discussed

NO. 88-2018 10/03/18 Delinquent Water Bills Added to Property Taxes

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 submit a list of all delinquent water bills of the Downsville and

Cooks Falls Water Districts to the County to be added to the property owners' tax bills for 2019, if these bills are not paid by October 31, 2018.

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

Supervisor Merrill reported that the two Town Justices would like to apply to the NYS Justice Court Assistance Program for a grant to purchase a new exterior door for the Town Hall and for miscellaneous office equipment and supplies for the Court. Board discussed.

NO. 89-2018 10/03/18 Apply for Justice Court Assistance Program

Greg Lavorgna made the following resolution:

WHEREAS, the Town of Colchester is in need of funds to aid the Courts in updating the court rooms and court offices; and

WHEREAS, there are funds available through the New York State Justice Court Assistance Program (JCAP);

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester does hereby authorize Town Justice Arthur C. Edel and Town Justice Edward J. DeRosia III to make application to the New York State Justice Court Assistance Program for a new exterior door for the Town Hall Building and for miscellaneous office equipment and supplies needed for the Courts. The estimated cost of the items being applied for will not exceed \$30,000.00.

FURTHER, RESOLVED, that the Town Board of the Town of Colchester hereby authorize Supervisor Arthur M. Merrill to sign the certification of said application.

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

Supervisor Merrill reported that Bill Reichert has asked that we complete the NYSDOT Special Use Permit Application (Perm33C) on behalf of the Downsville Christmas Parade Committee to be held on Saturday, December 8th. A Public Facility Permit is also needed. Board discussed.

NO. 90-2018 10/03/18 Sponsor Christmas Parade & File Perm33c

Mark Mattson made the following resolution:

BE IT RESOLVED that the Town Board of the Town of Colchester hereby sponsors the Christmas Parade to be held at 4:30PM Saturday, December 8, 2018 on NY State Highway 30 and 206, Downsville, New York and hereby authorizes the Supervisor to file the NYSDOT Special Use Permit Application (Perm33c) on behalf of the Downsville Christmas Parade Committee.

NO. 91-2018 10/03/18 Public Facility Permit No.11-2018

Julie Markert made the following resolution:

WHEREAS, William Reichert on behalf of the Downsville Christmas Parade Committee has applied for a Public Facility Permit to use the Pepacton Park located at 15500 State Hwy 30, on Saturday, December 8th from 4:30PM to 7:00PM for parking of Christmas Parade Floats after the parade has ended;

THEREFORE BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the Town Clerk to issue Public Facility Permit No.11-2018 to the Downsville Christmas Parade Committee for the use of the Pepacton Park located at 15500 State Hwy 30, Downsville, NY.

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

Supervisor Merrill stated that it is time to bid out fuel for the vehicles and buildings. An ad will be placed; bids are due on Nov. 7th by 2PM in the Town Hall at which time they will be opened and read aloud. The bid will be awarded at the Nov. 7th board meeting. Board discussed.

NO. 92-2018 10/03/2018 Bid Proposal No.01-18 Fuel

Mark Mattson made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to advertise for bids for the purpose of purchasing the following fuels: No. 2 Heating Fuel and Kerosene to be delivered as needed to various buildings in the Town; Propane to be delivered to the highway garages located at 6292 River Road, Downsville

and 20246 County Hwy 17, Cooks Falls; Diesel Fuel and Winter Blend to be delivered to the highway garage located at 6292 River Road, Downsville. Bids will be received at the office of the Colchester Town Clerk, 72 Tannery Road, Downsville, New York until 2:00 PM on the 7th day of November, 2018. Bids will be publicly opened and read aloud at the Town Hall on November 7, 2018 at 2:00 PM.

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

Supervisor reported there were insufficient funds in the water district accounts to meet the bills for September so an inter-fund transfer was necessary. Board discussed.

NO. 93-2018 10/03/2018 Inter-Fund Transfer to DWD

Janet Champlin made the following resolution:

WHEREAS, the Downsville Water District had insufficient funds to make their October 1st Principal and Interest payments to the USDA/Rural Development that we approved at the September 19, 2018 Board Meeting (Abstract 16 Voucher 499);

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to make an Inter Fund Transfer from the Supervisor's General Fund to the Downsville Water District Fund in the amount of \$13,508.27.

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

Supervisor Merrill made the following announcements:

- Town Hall Closed Monday, October 8th Columbus Day
- Next Regular Board Meeting Wed., Oct. 17th at 7PM
- Ken Eck reported that an electric line in a culvert on Pelnor Hollow Rd. on private property was damaged while working on the pipe. Town to check options.
- There will be budget workshop on Tuesday, Oct. 9th at 4:00 PM in the Town Hall

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.17-2018 Voucher No.501-535; Totaling \$29,764.34.

Julie Markert made the motion to go into executive session to discuss highway personnel issues, seconded by Mark Mattson, all in favor, motion carried. 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 8:55 PM. Board made no decision forthcoming.

With no further business, Greg Lavorgna made the motion for adjournment, seconded by Julie Markert, all in favor, motion carried. Meeting adjourned at 8:56 PM.

Respectfully Submitted:

Joyce T. Steflik
Deputy Town Clerk