

February 20, 2019

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, February 20, 2019 at 7:00 PM at the Town Hall.

Present: Arthur M. Merrill Supervisor
Julie A. Markert Councilwoman entered at 7:30PM
Gregory L. Lavorgna Councilman
Janet L. Champlin Councilwoman
Absent: Mark W. Mattson Councilman
Recording Secretary: Julie B. Townsend Town Clerk
Others present: Kenneth R. Eck, Jr.-Highway Supt. and Alan Donner.

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, February 06, 2019 had been distributed earlier. Greg Lavorgna made the motion to accept the minutes as written, seconded by Janet Champlin, Greg Lavorgna-aye, Janet Champlin-aye, Arthur Merrill-aye, Mark Mattson-absent, Julie Markert-absent, motion carried.

VISITOR COMMENTS: none

CORRESPONDENCE:

- Friends of the Upper Delaware River- the DRBRP received \$6million in funding in the new federal budget bill enacted on 2/15/2019; an increase of \$1million.

Supervisor Merrill reported that a payment has been authorized for the Clean Energy Program; Supervisor and Bonnie Seegmiller will be doing a walk-through Cornell Co-op on March 8th to look for a good project to spend the \$5,000 grant on; looking at LED lights for Town Hall and streetlights; Catherine Scott from Delaware River Solar will be at the March 6th meeting.

Supervisor reported that he received an e-mail from Michael O'Reilly of Principle Design & Engineering regarding the Walking Bridge; NYSDEC is not requiring a permit: *an Article 15 Protection of Waters Permit is not required for this project as both banks are greater than 45 degrees and the abutments are planned to be set back behind the banks.*

Supervisor Merrill reported that we have to name a Certifying Officer for the CDBG Grant #260HR301-18 Rehab Project. Board discussed.

NO. 23-2019 02/20/19 CDBG Certifying Officer

Janet Champlin made the following resolution:

WHEREAS, the Town of Colchester has been awarded a grant from the New York State Office of Community Renewal under provisions of the US Department of Housing and Urban Development, Community Development Block Grant, Small Cities Program identified as 260HR301-18 for the purpose of conducting a housing rehabilitation program; and

WHEREAS, the above referenced grant requires that the Town of Colchester complete an environmental review and prepare an environmental review record and further to designate a local official as the Certifying Officer responsible for all activities associated with the environmental review process;

NOW, THEREFORE BE IT RESOLVED that:

1. Arthur M. Merrill is hereby named Certifying Officer responsible for all activities associated with the environmental review process with respect to CDBG Grant Number; and

2. This resolution shall take effect immediately.

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

Supervisor reported that we have received the 2018-2019 NYS JCAP Grant funds and need to make a budget amendment. Board discussed.

NO. 24-2019 02/20/19 Budget Amendment for JCAP Grant

Janet Champlin made the following resolution:

WHEREAS, the Town of Colchester Justice Courts had made an application to the 2018-2019 New York State Justice Court Assistance Program in the amount not to exceed \$30,000.00; and WHEREAS, the NYSJCAP has approved funds for the Colchester Town Court, Delaware County in the amount of \$2,572.00; and

WHEREAS, the Town of Colchester has received said NYSJCAP funds in the amount of \$2,572.00;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to amend the 2019 Budget by increasing the General Revenue NYS Grant Fund #3060.1 by \$2,572.00 and increasing the General Appropriations Justice Edle JCAP Grant #11104.1.14 by \$2,572.00.

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

Supervisor submitted a draft local law, written by the Town Attorney to change from elected Board of Assessors to single appointed Assessor; Supervisor asked that the Board review the proposed local law and that we will discuss at the next meeting.

Supervisor Merrill reported that he received an e-mail from Senator Jen Metzger stating that she has sent a letter to the Governor calling for full restoration of Aid and Incentives to Municipalities (AIM) funding in the state budget; the Governor's proposal would require counties, rather than the state to fund AIM through their portion of the sales tax revenue. Supervisor stated that he has a hard time accepting the County to fund this program; Colchester residents would pay in more than what we would receive. Supervisor read a proposed resolution. Board discussed and agreed to send their own resolution to the Governor and other dignitaries. Supervisor added that a staff member of Senator Metzger will be here on Friday, Feb. 22nd from 11am to noon.

NO. 25-2019 02/20/19 A Resolution Asking that AIM Funding be Restored in the New York State's 2020 Budget

Greg Lavorgna offered the following resolution:

WHEREAS, "Aid and Incentives for Municipal Funding" ("AIM") is essential to the Towns and Villages that receive such funding; and

WHEREAS, AIM is key state funding that Local Governments have relied on for years; and

WHEREAS, AIM affects not just Local Governments but the communities that they are located in; and

WHEREAS, Governor Cuomo's proposed 2020 budget plan eliminates AIM funding for Local Governments that rely upon AIM funding for less than two (2) percent of their budgets; and

WHEREAS, it is believed that such a cut will save New York State \$60,000,000 in its budget but it will dramatically impact 1,328 of New York State's 1,465 Towns and Villages; and

WHEREAS, many Local Governments are already struggling financially, especially those in Upstate; and

WHEREAS, Local Governments must create and pass budgets that navigate a number of difficult financial stressors that include: the New York's Tax Cap, increasing health insurance costs, high contribution rates for the New York Retirement System, prevailing wage, competitive

bidding and procurement obligations, the Wicks Law, the Taylor Law, Workers Compensation, and a dedicated but an often unionized and civil service protected work force; and

WHEREAS, in addressing its budget and its Local levy, Local Governments must face limited avenues for revenue generation, limited economic development in its boundaries, Payments in Lieu of Taxes, an aging population often on limited incomes, a diminishing population, potential business opportunities that are fleeing high taxes and thus leaving New York State and often unpredictable sales tax distribution and/or generation; and

WHEREAS, the loss of AIM is magnified for those Local Governments which already have all or part of their budgets set;

THEREFORE, BE IT RESOLVED, that the Town of Colchester and its Town Board on behalf of its residents, recognizes the important role of AIM Funding in Local Governments; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Colchester enthusiastically encourages the New York State Governor, the New York State Assembly and the New York State Senate to consider the consequences of the proposed reduction of AIM for Local Governments and demands that such funding be replaced in the Budget; and

BE IT RESOLVED, that a certified copy of this resolution shall be forwarded to Governor Cuomo, Senator Fred Akshar, Senator Jen Metzger, Senator James Seward, Assemblyman Clifford Crouch, Assemblyman Brian Miller, Assemblyman Chris Tague, the Upstate New York Towns Association, the New York State Association of Towns, New York Conference of Mayors and the Local News Media.

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

Supervisor Merrill reported that our Auditors, Mostert, Manzanero & Scott, LLP were here the last two days; they have made a recommendation that we expunge three payments from the early 2000's; we need to clear these items from our books. Board discussed.

NO. 26-2019 02/20/19 Expunged Previous Years' Payments

Janet Champlin made the following resolution:

WHEREAS, in order to eliminate the old due to/due from fund balances, the Town's Auditors, Mostert, Manzanero & Scott, LLP, have made the recommendation to expunge the following payments:

- From the General Fund to the Highway Fund in the amount of \$16,000.00;
- From the Downsville Water District Fund to the General Fund in the amount of \$7,397.14;
- From the General Fund to the Cooks Falls Water District Fund in the amount of \$3,098.29;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to expunge said previous years' payments by making journal entries to the Town's General Ledger.

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

Supervisor reported that Pio Deroda has received a grant award from the Roxbury Arts Council to construct and display historic buildings billboards; each billboard will be a painting on a 4'x8' sheet of plywood of a historic building; she is asking for permission to display a billboard of the Eagle Hotel on its former location that the Town now owns. Board discussed.

NO. 27-2019 02/20/19 Public Facility Permit No.01-2019

Janet Champlin made the following resolution:

WHEREAS, Pio Deroda a recipient of a Roxbury Arts Grant has applied for a Public Facility Permit to use the Town's vacant lot located at 15276 State Hwy 30, Downsville to display a 4'x8' historic painting of the Eagle Hotel;

THEREFORE BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the Town Clerk to issue Public Facility Permit No.01-2019 to Pio Deroda for

the use of displaying a 4'x8' historic painting of the Eagle Hotel on its former location at 15276 State Hwy 30, Downsville, NY.

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

Councilwoman Markert entered the meeting at 7:30PM.

Supervisor Merrill commented that in December we hired Nathan Homovich as a Part-time Highway Employee; we have in the past hired full-time employees without a CDL; we have been talking that Nate will go to the Cemetery in the Spring; since he has been working forty hours a week and working on getting his CDL license it has been suggested to hire him full-time with benefits. Board discussed.

NO. 28-2019 02/20/19 Hire Nathan D. Homovich as HEO1/Cemetery Laborer

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby hires Nathan D. Homovich of 40 Albright Lane, Downsville, New York as a HEO1/Cemetery Laborer provisional for one year, at a pay rate of \$17.55 per hour with benefits, effective February 13, 2019, assignments and duties at the discretion of the Highway Superintendent and Cemetery Supervisor;

FURTHER RESOLVED, that Nathan D. Homovich will have the anniversary date of the first day of January 2019.

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

Supervisor commented that he listened to Congressman Antonio Delgado's Town Hall Meeting held at Delaware Academy in Delhi.

Supervisor reported that he attended a conference in PA last week.

Supervisor Merrill made the following announcements:

- Next Regular Board Meeting Wed., March 6th at 7PM; Catherine Scott from Delaware River Solar will make a presentation.

SUBMISSION OF BILL/EXPENSES: Janet Champlin made the motion, seconded by Julie Markert, that the vouchers be approved, subject to any corrections or deletions, Julie Markert-aye, Greg Lavorgna-aye, Janet Champlin-aye, Arthur Merrill-aye, Mark Mattson-absent, motion carried. Abstract No.03-2019 Voucher No.90-122; Totaling \$45,465.66.

With no further business, Greg Lavorgna made the motion for adjournment, seconded by Janet Champlin, Julie Markert-aye, Greg Lavorgna-aye, Janet Champlin-aye, Arthur Merrill-aye, Mark Mattson-absent, motion carried. Meeting adjourned at 7:41 PM.

Respectfully Submitted:

Julie B. Townsend
Town Clerk