

May 15, 2019

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, May 15, 2019 at 7:00 PM at the Town Hall.

Present:	Arthur M. Merrill	Supervisor
	Julie A. Markert	Councilwoman entered at 7:04PM
	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., Michael DeGroat-Town Attorney, Vicky Klukkert-The Reporter, Bonnie Seegmiller, Joan Homovich, Gene & Ruth Wilhowsky, Dawn D'Addezio, Stacey Mattson and Paul Burns.

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, May 01, 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: Joan Homovich inquired about the 35 page plan for the Downs ville Park Paddle Project. Supervisor replied that once the contact is sign it will be posted on the website. And a hard copy printed.

Councilwoman Markert entered meeting at 7:04PM.

Joan Homovich asked if anyone else has seen the project; under the Freedom of Information it should be available for anyone to review. Supervisor replied that anyone can look at it.

Ms. Homovich asked for a copy of the specs for the police garage; bids are due June 5<sup>th</sup> what will the next step be and how long will it take to replace the funds for this project? Supervisor replied that we have asked for bids; we'll see the costs and determine how to proceed and schedule a public hearing; we may not replace the funds; we make take funds out of surplus or Capital Reserve Fund.

Ms. Homovich asked does it go on the ballot to get rid of the Assessors. Supervisor replied that we did a local law to go from three elected Assessors to one appointed Assessor.

Ruth Wilhowsky commented that she has started a petition; talk around town not in favor of a new police building. Mrs. Wilhowsky asked if there were garbage bins in the park. Supervisor replied that there are two garbage cans in the Covered Bridge Park.

Mrs. Wilhowsky asked if we had ordinances against slum lords or car grave yards. Supervisor replied no.

Dawn D'Addezio stated that the offices of Town Hall are small and some are shared offices and the building is old; we need a new community building and that would be a better use of money; we also could use a laundromat and car wash (we used to have both); is there a five year plan or plans for water and sewer system? Supervisor replied that the water system is payer limited and a lot of grant funds would be needed for a sewer system.

Paul Burns commented that we want to garage three police vehicles; the Del. Co. Sheriff's Dept. has twenty-four vehicles outside all year. Supervisor replied that we have had some extreme temperatures and there are advantages of being inside.

CORRESPONDENCE:

- Coalition of Watershed Towns- Soliciting nominations for the biennial election of members of the Coalition of Watershed Towns' Executive Committee; nominations must be submitted by June 21<sup>st</sup>. Supervisor asked for suggestions. None given.
- Town of Shandaken- information of activities of the Catskill Park Transportation Working Group and invitation to participate in these efforts.

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

- Town Justice DeRosia- April 2019.
- Town Justice Edel- April 2019.

Supervisor Merrill reported that we are waiting on Delaware County Personnel Dept. for the Sexual Harassment Training; everyone needs to do this.

Supervisor inquired about the Pickup Truck. Highway Supt Eck reported that at the last meeting we authorized a purchase from the NYSGOS Mini-Bid #19040063 Award22898, this was for Region 1 Counties, which Delaware is not included; therefore we are requesting our own bids; once they come in we will present to the Board. Board discussed.

NO. 56-2019 05/15/19 Rescind Resolution NO. 49-2019

Greg Lavorgna made the following resolution:

WHEREAS, on May 01, 2019 the Town Board of the Town of Colchester adopted Resolution NO. 49-2019 titled 2019 Ford F-150 XLT R/C Pickup Truck, authorizing the purchase of one 2019 Ford F-150 XLT R/C Pickup Truck from VanBortel Ford, Inc. for the price of \$26,612.92; and

WHEREAS, Delaware County was not in the NYSGOS Mini-Bid #19040063 Award22898 and therefore the Town of Colchester was not authorized to bid in such Mini-Bid;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby Rescind Resolution NO. 49-2019 and the purchase of one 2019 Ford F-150 XLT R/C Pickup Truck from VanBortel Ford, Inc. for the price of \$26,612.92.

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

Supervisor Merrill reported that last September the Downsville Water District borrowed funds from the Supervisor's General Fund to pay the USDA interest and principle payments that were due October 1<sup>st</sup>; DWD has received water bill payments and now have funds to pay back the loan. Board discussed.

NO. 57-2019 05/15/19 DWD Payback Loan to Supervisor's General Fund

Janet Champlin made the following resolution:

WHEREAS, the Downsville Water District has Loan Number 9101 with the United States Dept. of Agriculture and their an annual principal and interest payment was due on/or before October 1<sup>st</sup>; and

WHEREAS, on September 19, 2018 the Downsville Water District made their annual principal and interest payment to the USDA in the amount of \$13,508.27 with insufficient funds; and

WHEREAS, on September 19, 2018, the Town of Colchester made a loan from the Supervisor's General Fund to the DWD in the amount of said payment, \$13,508.27 to avoid a late payment to the USDA;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to payback the Supervisor's General Fund the said loan of \$13,508.27 now that DWD has sufficient funds available.

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

Supervisor reported that we have received a Public Facility Permit Application to use the Covered Bridge Park on Sat., May 25<sup>th</sup> from 8AM to 11AM for a Free Fitness Boot Camp. Board discussed.

NO. 58-2019 05/15/19 Public Facility Permit No.08-2019

Janet Champlin made the following resolution:

WHEREAS, Dawn D’Addezio has applied for a Public Facility Permit to use the Covered Bridge Park located at 48 Bridge Street on Saturday, May 25<sup>th</sup> from 8:00AM to 11:00AM for a Free Fitness Boot Camp;

THEREFORE BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the Town Clerk to issue Public Facility Permit No. 08-2019 to Dawn D’Addezio for the use of the Covered Bridge Park located at 48 Bridge Street, Downsville, NY on May 25, 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 Merrill reported that in each year that we have new or changes in the Standard Work Day for Elected & Appointed Officials due to their terms, we must do a resolution of reporting days to the NYS Retirement System; this year we only have Appointed Officials for their annual terms. Board discussed.

NO. 59-2019 05/15/19 SWD & Reporting Resolution for Elected & Appointed Officials

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town of Colchester/Location Code 30554 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the time keeping systems records or record of activities maintained and submitted by these officials to the clerk of this body.

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs./day)	Term Begins/Ends	Participates in Employer’s Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
<b>Appointed Officials</b>							
Code Enforcement Officer	Thomas R. Zampolin			6	01/01/2019-12/31/2019	N	14.97
Supervisor’s Bookkeeper/Account Clerk	Dawn R. D’Addezio			6	01/01/2019-12/31/2019	N	24.11
Water Superintendent	Ronnie L. MacDonald			6	01/01/2019-12/31/2019	N	10.82

Resolution was seconded by Greg Lavorgna.

This resolution was put to a vote by roll call and resulted as follows:

Town Supervisor, Arthur M. Merrill	voting aye
Councilperson, Janet L. Champlin	voting aye
Councilperson, Mark W. Mattson	absent
Councilperson, Julie A. Markert	voting aye
Councilperson, Greg L. Lavorgna	voting aye

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

Supervisor Merrill made the following announcements:

- Next Regular Board Meeting Wed., June 5<sup>th</sup> @ 7PM
- Free Rabies Clinic Wed. June 19<sup>th</sup> 5PM-6:30PM at Colchester Hwy Garage

Councilwoman Champlin commented that the Pepacton Park Committee will be holding their first Pop-Up Farmers' Market next Sat., May 25<sup>th</sup>; they will need the parking area for this event and there are many Danella Trucks in the parking area. She also commented that there are a few potholes that need filling in. Supervisor replied that he will contact Danella. Hwy Supt will take a look at the pothole situation.

**SUBMISSION OF BILL/EXPENSES:** Greg Lavorgna made the motion, seconded by Janet Champlin, that the vouchers be approved, subject to any corrections or deletions, Greg Lavorgna-aye, Janet Champlin-aye, Julie Markert-aye, Arthur Merrill-aye, Mark Mattson-absent, motion carried. Abstract No.09-2019 Voucher No.261-285; Totaling \$23,491.08.

Greg Lavorgna made the motion to go into executive session to discuss possible litigation, seconded by Janet Champlin, Greg Lavorgna-aye, Janet Champlin-aye, Julie Markert-aye, Arthur Merrill-aye, Mark Mattson-absent, motion carried. Town Attorney and Hwy Supt were invited to stay. Board entered executive session at 7:40 PM. Board held discussion. Greg Lavorgna made the motion to enter back into regular session, seconded by Janet Champlin, Greg Lavorgna-aye, Janet Champlin-aye, Julie Markert-aye, Arthur Merrill-aye, Mark Mattson-absent, motion carried. Board entered regular session at 8:05 PM. Board made the following resolution.  
NO. 60-2019 05/15/19 Paid Sick Days to Michael Steele

Janet Champlin made the following resolution:

WHEREAS, upon further research and discussion it was agreed to also pay Michael Steele's sick days,

THEREFORE, BE IT RESOLVED, the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to pay all accumulated sick days earned to Michael Steele upon completion of a Settlement Agreement.

Resolution was seconded by Greg Lavorgna, Greg Lavorgna-aye, Janet Champlin-aye, Julie Markert-no, Arthur Merrill-aye, Mark Mattson-absent, resolution declared adopted.

With no further business, Janet Champlin made the motion for adjournment, seconded by Greg Lavorgna, Greg Lavorgna-aye, Janet Champlin-aye, Julie Markert-aye, Arthur Merrill-aye, Mark Mattson-absent, motion carried. Meeting adjourned at 8:08 PM.

Respectfully Submitted:

Julie B. Townsend  
Town Clerk