

June 05, 2019

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, June 05, 2019 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, Bonnie Seegmiller, Joan Homovich, Alan Donner, Mary Brawley-Fuat, Gene & Ruth Wilhowsky, Bill Reichert, Bob Stanczyk, Ray Bivens, James Romaglia, Paul Burns, Stacey Mattson and James Shields.

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 15, 2019 had been distributed earlier. Janet Champlin made the motion to accept the minutes as written, seconded by Greg Lavorgna, all in favor, motion carried.

GUESTS: Bob Stanczyk, Ray Bivens, James Romaglia and Bill Reichert members of the James S. Moore Post #167 American Legion are here to make a proposal that the bridge spanning over the East Branch of the Delaware River, NYSDOT Bridge #1020790 located at 16023 State Hwy 30, Downsville be dedicated as the "Colchester Veterans Memorial Bridge"; this starts the process; next the Town submits to our Assemblyman and then goes up the chain of command.

VISITOR COMMENTS: Bill Reichert asked to discuss the water in town; there is an oil slick film on top of the water at his house and John Soran's; he wants the pipes checked. Supervisor commented that the pipes were flushed last year; problem could be from the chemicals we add per NYSDOH regulations; he will talk with WPO Ron MacDonald.

Joan Homovich commented that starting tomorrow morning at 4am, NYCDEP is stopping releases for a few hours for inspection work; she suggested that everyone go take a look. Ms. Homovich commented that a couple of meetings ago, Supervisor commented that once the Downsville Paddle Park Grant was signed it would be posted; who sponsored the art project? Are you silent or the administration? Supervisor replied that the last art project the Colchester Historical Society was the sponsor; Town sponsored the streetscape projects and Pio Deroda was the administrator. Ms. Homovich commented that posting the pictures of the Eagles was not to be controversy, but was glad to see them in Town; who owns the Eagles? Supervisor replied that is difficult to answer; once the project was over, the eagles came down and put into storage for repairs; they are pieces of art and rules need to be followed; it takes time and money to repair; we would like to place them in the Downsville Paddle Park once the pavilion is constructed. Ms. Homovich commented that other business owners would like to display them and asked to see the grant application for the Eagle Project.

Ruth Wilhowsky asked if DEP tested the water; maybe we should spend money on better water instead of police building. Supervisor commented that Police and DWD are two separate groups; tax payers cannot pay for water districts.

#### CORRESPONDENCE:

- NYS Dept. of Taxation and Finance- Notice of Tentative State Equalization Rate for the 2019 Assessment Roll- 2.99.

- Downsville Central School- Approve resolution of DCS to participate in applying for a Dept. of State Implementation Grant through their Government Efficiency Grant Program.
- NYCDEP- Invitation to Dam Emergency Action Plan Orientation Seminar for the Cannonsville, Pepacton & Neversink Dams-June 10<sup>th</sup> from 10am to Noon at Matamoras, PA.
- NYSDOT- Downsville Post Office has asked for a crosswalk in front of the PO, asking for an opinion letter from the Town. Supervisor reported that he had spoken with the PO; a crosswalk would be 5feet wide across the road and there would be no parking 20feet each side of crosswalk; therefore taking away 45feet of parking, there is a fire hydrant there also; DOT wants a site distance and for people not to cross in between parked cars. Board discussed and agreed that they did not want to support a crosswalk; we have limited parking near the post office.
- NYS Association of Town Superintendents of Highways, Inc.- Urgent Request for Action: Call your legislators to ask for more State Funding for local infrastructure; Extreme Winter Recovery Funding was not included in the 2019-20 State Budget.

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

- Cooks Falls Water District- May 2019- 23 customers balance due \$1,870.00; Receipts of \$600.00 disbursed to Supervisor.
- Downsville Water District- May 2019- 45 customers balance due \$5,488.26; Receipts of \$2,619.96 disbursed to Supervisor.
- Town Clerk- May 2019- Total disbursed \$3,704.17 of which \$3,631.67 was Town revenues.
- Police- May 2019 Activity Report.
- Tax Collector- As of 5/6/19 2648 Transactions- Base Tax Total \$7,376,716.28- 91% Paid.

Supervisor Merrill reported that we are still waiting to see if NYSDOH has any more funding available for the DWD Water System Improvement Project DWSRF #17537; Jeff Francisco of Delaware Engineering has stated that the project costs could be lowered some.

Supervisor reported that Paul G. Ryder III Construction is still working on the Cooks Falls Garage Project.

Supervisor Merrill reported that the Walking Bridge over Downs Brook is at a standstill.

Supervisor reported that there is a voucher in tonight to Tau Engineering PC for the Tiffany Hollow NFPP Grant- Gregory Hollow Road Culvert Replacement project; we will request the funds from the Dept. of the Interior and then mail Tau's check.

Highway Supt. Kenneth Eck reported that we have received six bids for the 2019 4x4 Pickup Truck. Board reviewed the bids. Since the bids were on different makes and models, the Town Attorney wanted to review the bid advertisement and bids received; Town Attorney will have a recommendation for the next meeting.

Supervisor Merrill reported that DCS called today and was wondering if the Town could blacktop a couple of their potholes and they would mow around the pool for us. Board discussed shared services and supporting the Government Efficiency Grant Program.

NO. 61-2019 06/05/19 Support Government Efficiency Grant Program

Greg Lavorgna made the following resolution:

WHEREAS, upon the recommendation of the Downsville Central School Superintendent that the Board of Education authorize the DCS District, along with Roscoe and Livingston Manor Central Schools to participate in applying for a Department of State Implementation Grant through their Government Efficiency Grant Program in conjunction with the Towns of Colchester and Rockland to continue to explore ways to share and/or find efficiencies within;

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby supports Downsville Central School District in applying for a Department of State Implementation Grant through their Government Efficiency Grant Program.

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 L. Champlin	voting aye
Councilperson, Julie A. Markert	voting aye
Councilperson, Mark W. Mattson	voting aye
Councilperson, Gregory 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 reported that a Bid Opening for the Police Dept. Building & Garage and Generator was held today, June 05, 2019 at 10am; we received three bids:

Morton Buildings, Inc.	\$178,827.00	
Richard W. Wakeman, Inc.	\$251,143.00	Generator \$28,324.00
Complete Construction Concepts, LLC	\$167,172.00	

Supervisor inquired if we wanted to proceed or look at other options. Councilwoman Champlin stated that we need to get quotes on the electrical & plumbing and finishing the office space; we need to know the total cost of the project. Councilwoman Markert added that we need to know if NYS has any mandates for police buildings. Board discussed. Supervisor commented that to add onto the highway garage, it was estimated at \$720,000; concept of constructing a new town hall was estimated at \$2.4million. We need more information and will discuss further.

Supervisor Merrill asked the Board if they support the request from the American Legion to dedicate the bridge spanning over the East Branch of the Delaware River as the "Colchester Veterans Memorial Bridge". Board discussed.

NO. 62-2019 06/05/19 Colchester Veterans Memorial Bridge

Janet Champlin made the following resolution:

WHEREAS, the James S. Moore Post #167 American Legion has made a proposal that the bridge spanning over the East Branch of the Delaware River, NYSDOT Bridge #1020790 located at 16023 State Hwy 30, Downsville be dedicated as the "Colchester Veterans Memorial Bridge"; and

WHEREAS, this would be a lasting tribute to the memory of the Town of Colchester Veterans and a permanent token of their service to our Country;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby respectfully requests that the State of New York, name the bridge spanning over the East Branch of the Delaware River, NYSDOT Bridge #1020790 located at 16023 State Hwy 30 in the Hamlet of Downsville, the "Colchester Veterans Memorial Bridge" in honor of those service members that have sacrificed for our freedom.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to New York State Assemblyman Clifford W. Crouch.

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, Julie A. Markert	voting aye
Councilperson, Mark W. Mattson	voting aye
Councilperson, Gregory 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 reported that we have received an application from the Pepacton Park Committee to use the Covered Bridge Park on three Thursday nights for Music Events. Board discussed.

NO. 63-2019 06/05/19 Public Facility Permit No.09-2019

Julie Markert made the following resolution:

WHEREAS, Janet Champlin on behalf of the Pepacton Park Committee has applied for a Public Facility Permit to use Covered Bridge Park located at 48 Bridge Street for three Music in the Park Events on Thursday, June 20<sup>th</sup>; Thursday, July 18<sup>th</sup> and Thursday, August 22<sup>nd</sup> from 5:00PM to 9:00PM;

THEREFORE BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the Town Clerk to issue Public Facility Permit No.09-2019 to the Pepacton Park Committee for the use of Covered Bridge Park located at 48 Bridge Street, Downsville, NY. Resolution was seconded by Mark Mattson, Greg Lavorgna-aye, Mark Mattson-aye, Arthur Merrill-aye, Julie Markert-aye, Janet Champlin-abstain, resolution declared adopted.

Supervisor Merrill reported that a Petition for Not Proceeding with Permanent or Leased Police Building for Police & Police Vehicles with 70 signatures was presented to the Town Clerk on June 04, 2019. The petition read: *We, the undersigned legal voters of the Town of Colchester, Delaware County, New York, qualified voters at the next general or special election, respectfully petition that there be submitted to the electors of the Town of Colchester, our rejection of any actions and/or referendum relative to a permanent or leased police building for the police and police vehicles. It is felt that we have sufficient police coverage with a part time police force and that police force should stay at their current location and staffing level as currently budgeted.*

Town Attorney stated that he would like to discuss this in executive session.

Supervisor presented the suggestions that Janice Stickle has made for this year's pool season: all guards need to recertify CPR/First Aid/AED and Lori Davis will do this; pool will open July 1<sup>st</sup>; signup for swimming lesson 1<sup>st</sup> week in July; lesson start July 8<sup>th</sup>; Water Carnival will be Sat., August 3<sup>rd</sup>; close down the Friday before Labor Day, August 30<sup>th</sup>. Board discussed.

NO. 64-2019 06/05/19 Appoint 2019 Pool Personnel

Mark Mattson made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby hires the following pool personnel at corresponding wages for the 2019 Pool Season:

Janice L. Stickle	Pool Recreation Director	\$14.00 per hour
Kacie S. Banker	Returning Instructor FT Lifeguard	\$11.65 per hour
Corra A. Nocella	Returning Instructor FT Lifeguard	\$11.65 per hour
Gabrielle L. Ryan	Returning Instructor FT Lifeguard	\$11.65 per hour
Luccia L. Martucci	Returning Instructor FT Lifeguard	\$11.65 per hour
Mackenzie B. Burnham	Returning Instructor PT Lifeguard	\$11.65 per hour
Kenzy M. Hammond	Returning Instructor PT Lifeguard	\$11.65 per hour
Halle L. Banker	Part-time Lifeguard	\$11.10 per hour
Margaret M. Towsley	Part-time Lifeguard	\$11.10 per hour

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

Councilwoman Markert commented that the committee was having a hard time finding someone to do the bath house project; no one wants to do the work. Councilwoman Champlin commented that we need to have someone pour concrete before the pool opens up. Board discussed further and agreed to proceed with the project if they found someone to do the work.

Supervisor Merrill reported that he has spoken with the Cemetery Supervisor about summer help; he would like to hire the two students from last year. Board discussed.

NO. 65-2019 06/05/19 Appoint 2019 Seasonal Cemetery Laborer

Upon the recommendation of the Cemetery Supervisor, Greg Lavorgna made the following resolution:

WHEREAS, the Town's Summer/Youth Employment Policy states that youths must be students continuing their education and must be enrolled full-time status and verification of student status is required;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby hire the following students for the 2019 Season with no benefits.

Gavin R. Champlin    Returning Seasonal Cemetery Laborer    \$11.65 per hour

Kailee F. Young      Returning Seasonal Cemetery Laborer      \$11.65 per hour

FURTHER RESOLVED, that verification of all necessary documents must be completed and filed before anyone will be allowed to start work.

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

Supervisor commented that it looks like we will need two full-time highway/cemetery works in the near future; we may have to shift people around this summer/fall; we would like to advertise for full time employment. Board discussed.

NO. 66-2019 06/05/19      Advertise for HEO Full-time Positions

Greg Lavorgna made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorize Highway Supt. Kenneth Eck to advertise that the Town of Colchester is seeking applications for Heavy Equipment Operator for full-time positions.

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

Supervisor Merrill made the following announcements:

- Next Regular Board Meeting Wed., June 19<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 new cardboard container is not working well at the transfer station; hearing complaints that this is causing people a hard time getting in and out of the transfer station; we also need to have the tires picked up or stop taking them; the C&D bin still does not have a safety rail, also inside it is very slippery. Supervisor will review with Transfer Station Superintendent.

Councilman Lavorgna stated that the Cooks Falls Court Clerk would like to say Thank You for the mowing job at the CF Court.

Councilwoman Markert commented that the Paige Cemetery looked very good for Memorial Day and praised the cemetery crew with a job well done.

Supervisor reported that the Cemetery Crew is helping Ron MacDonald getting the pool ready; Ron has taken out the old pump and installing the new one.

Board discussed promoting Memorial Day Parade next year; this year's parade was very small.

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.10-2019 Voucher No.286-322; Totaling \$76,440.21.

Janet Champlin made the motion to go into executive session to discuss cemetery personnel and petition presented, seconded by Mark Mattson, all in favor, motion carried. Board entered executive session at 8:42 PM, Town Attorney, Town Clerk and Hwy Supt. Were invited to stay. Board held discussion. Mark Mattson made the motion to enter back into regular session, seconded by Janet Champlin, all in favor, motion carried. Board entered regular session at 9:12 PM. Board adopted the following resolution.

NO. 67-2019 06/05/19 Petition Response

Greg Lavorgna made the following resolution:

WHEREAS, on June 04, 2019 the Town received a Petition for Not Proceeding with Permanent or Leased Police Building for Police and Police Vehicles; and

WHEREAS, said petition requested that their rejection of any action and/or referendum relative to a permanent or leased police building for the police and police vehicles be submitted to the electors; and

WHEREAS, the Town Board has only been gathering information to decide to move forward with a Police Building;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester does hereby authorize Supervisor Arthur M. Merrill and Town Attorney Michael P. DeGroat to prepare and file an objection to said petition.

Resolution 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 L. Champlin	voting aye
Councilperson, Julie A. Markert	voting aye
Councilperson, Mark W. Mattson	voting aye
Councilperson, Gregory L. Lavorgna	voting aye

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

With no further business, Mark Mattson made the motion for adjournment, seconded by Julie Markert, all in favor, motion carried. Meeting adjourned at 9:13 PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk