

July 17, 2019

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, July 17, 2019 at 7:00 PM at the Town Hall.

Present:	Arthur M. Merrill	Supervisor
	Mark W. Mattson	Councilman
	Julie A. Markert	Councilwoman
	Janet L. Champlin	Councilwoman
Absent:	Gregory L. Lavorgna	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, Alan Donner, Mary Brawley-Fuat and Gene & Ruth Wilhowsky.

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, July 03, 2019 had been distributed earlier. Julie Markert made the motion to accept the minutes as written, seconded by Mark Mattson, Mark Mattson-aye, Julie Markert-aye, Janet Champlin-aye, Arthur Merrill-aye, Greg Lavorgna-absent, motion carried.

VISITOR COMMENTS: Joan Homovich commented that there are three trees on Town property at the Covered Bridge Park that border her property and one of the trees is dead; something is chewing on the tree. Supervisor replied that we will take care of it and the Highway Supt volunteered to take a look.

Ruth Wilhowsky presented the Supervisor with a copy of the NY Dept. of State Committee on Open Government brochure "Your Right to Know" NYS Open Government Laws, pages 11-14.

CORRESPONDENCE:

- Dept. of the Army- Permit to NYCDEP: The temporary discharge of fill material below the ordinary high water mark of the Pepacton Reservoir to facilitate the installation of temporary stop shutters and release system. The work is being conducted in order to facilitate the replacement of a series of valves and other appurtenances that allow the release of water from the Pepacton Reservoir. Upon completion of the maintenance work, all temporary fills and structures shall be removed from within waters of the United States and the temporarily impacted areas shall be restored to preconstruction contours and conditions.
- Del. Co. DPW- putting together an informational flyer and comment submission letter for the Knox Avenue Bridge Project, asking for names of interested parties of the one lane bridge and those that should seek alternate route.
- Town of Rockland Planning Board- Town of Rockland serving as Lead Agency for the two lot subdivision for the Kaplan property, Mary Smith Hill Rd, Lew Beach, NY. Board discussed and agreed to the proposal.
- NYSDEC- Division of Mineral Resources Mined Land Inspection Report of the Colchester Gravel Bank located off State Route 30 (MSR) on July 03, 2019.
- Zachary A. Gannett- A copy was given to each Board Member and it was asked that letter be read at meeting: personnel complaint against Officer Justin Mohr. Supervisor replied that it is being addressed.

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

- Town Justice DeRosia- June 2019.
- Town Justice Edel- June 2019.

Supervisor Merrill reported that he had taken a closer look at the numbers for the Downsville Water System Improvement Project DWSRF #17537; total grant was \$318,000 less the Engineer's fees of \$72,500 leaves \$246,000 for the project; low bid was \$390,000 which leaves \$150,000 that we could add to our loan amount; over 30 years that would be \$5,000 a year, approximately a raise of \$22 a year per DWD customers; Supervisor will pursue getting additional funds. Board discussed. Board is concerned that our system is getting old and that we may have to Bond further repairs; we would like to bring the springs back for a better quality of water but can we afford this. Board will discuss further and may have a special informational meeting for DWD customers.

Supervisor reported on the Tiffany Hollow NFPP Grant Gregory Hollow Road Culvert Replacement Project; a Pre-Bid Meeting is scheduled for July 22nd @10am for the Gregory Hollow Road Stream Crossing Project Bid; Bids are Due July 24th by Noon. Highway Supt asked for Authorization to award to low bidder; Town Attorney stated that we needed to have a Special Meeting. Board discussed.

NO. 78-2019 07/17/19 Special Meeting

Janet Champlin made the following resolution:

WHEREAS, the bid opening for Gregory Hollow Stream Crossing Project "Culvert Replacement" is scheduled for Noon on July 24, 2019; and

WHEREAS, the Town of Colchester has been given a stream permit for said project with an expiration date of September 30, 2019;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester will hold a Special Town Board on July 24, 2019 at 4:00 PM at the Town Hall, 72 Tannery Road, Downsville for the purpose of awarding the Gregory Hollow Stream Crossing Project and any other business brought forth to the Town Board.

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

Supervisor Merrill reported that there will be an Informational Meeting on the Downsville Park Paddle Trail Development Project on August 5th @ 6PM at the Pepacton Park.

Highway Supt Eck reported that we have not received any bids on the 4x4 Pickup Truck, but they have a couple of more days to bid; we may have to re-bid again and not be so specific.

Supervisor reported that the Police Dept. has applied to the O'Connor Foundation for a matching grant to purchase three AEDs; the cost is approximately \$6,000 and our share would be about \$3,100. Highway Supt. Eck stated that it would be nice to have one for each of the highway garages. Board discussed.

NO. 79-2019 07/17/19 O'Connor Foundation

Janet Champlin made the following resolution:

WHEREAS, the A. Lindsay and Olive B. O'Connor Foundation, Inc. has funds in a Matching Funds Grant Program for the purchase of and installation of AEDs (automated external defibrillator); and

WHEREAS, the Town of Colchester Police Dept. are in need of three updated AEDs; one for each police vehicle; and

WHEREAS, the Town Highway Dept. could use an AED in each of the Highway Garages;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the application of the Colchester Police Dept. to apply for grant funds to the A. Lindsay and Olive B. O'Connor Foundation, Inc. for the purchase of and installation of three AEDs;

FURTHER RESOLVED, that the Town Board of the Town of Colchester hereby authorizes the application of the Colchester Highway Dept. to apply for grant funds to the A.

Lindsay and Olive B. O'Connor Foundation, Inc. for the purchase of and installation of two AEDs.

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

Highway Supt reported that repairs are needed for the Cat Loader; transmission needs repairing again, will not run in 1st gear; we have put 2500 hours on the loader since last repair; this will not cure the problem as there are other things needing repairs; Milton Cat has estimated repairs at \$17,000 or they will give us \$17,000 on a trade-in; if we do the repairs then they would give us \$34,000 in trade-in; a new Cat Loader would cost approximately \$154,000; we could repair then put on Auctions International and hope to get more. Board discussed and suggested that the Highway Supt research further and bring back more information.

Highway Supt reported that Mike O'Reilly of Principle Design Engineering, PLLC has done three GEO Tech Surveys for the slides/slopes on Campbell Mtn Road and Horse Brook Road. Highway Supt recommends that we contract off the Del. Co. Bid Book with for Soil Nail Launching on Campbell Mtn Road and Horse Brook Road; GeoStabilization International has done work for us on Cooks Falls Road; they will meet the Blue Book to make sure we get reimbursement back from FEMA. Highway Supt also recommended going off the Del Co DPW Bid Book to rent an excavator for FEMA work to be done on Morton Hill Rd, Huntley Hollow Rd, Rogers Hill Rd and Horse Brook Rd. Board discussed.

NO. 80-2019 07/17/19 Accept Delaware County DPW Bid No.31-18 Soil Nails

Mark Mattson made the following resolution:

WHEREAS, Delaware County DPW has awarded Proposal No. 31-18 Soil Nails to Geo Stabilization International of 4475 E 74th Ave., Commerce City, CO; and

WHEREAS, GeoStabilization International has extended their contract to the County until March 31, 2020;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby accepts the extended Proposal No. 31-18 Soil Nails of GeoStabilization International and hereby authorizes Highway Supt. Kenneth Eck to enter into contract with GeoStabilization International of 4475 E 74th Ave., Commerce City, CO for Soil Nail System Projects for FEMA DR#4397 Horse Brook Road and Campbell Mtn Road.

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

NO. 81-2019 07/17/19 Accept County Proposal #1-19 Rental of Construction Equipment

Mark Mattson made the following resolution:

WHEREAS, the Town of Colchester has accepted the Delaware County DPW Bid Book for construction of Town Highways per Resolution NO. 05-2019, titled Accept Del. Co. DPW & NYSDOT Policy & Standards; and

WHEREAS, due to FEMA DR#4397, Morton Hill Road, Huntley Hollow Road, Rogers Hill Road and Horse Brook Road need repairs that must be completed by September 30, 2019 to be eligible for reimbursement from FEMA;

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Highway Supt. Kenneth Eck to enter into contract with a bidder off the Delaware County Bid Book Proposal No.1-19 for an Excavator.

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

Supervisor read a letter of resignation from Gerald Merrill as Assessor Chairman due to his retirement from DCS; he must resign for a day from the Town so that NYS Retirement can start his process of collecting his benefit; at the next meeting we can appoint him to fill out the rest of his term (8-7-19 to 12-31-19). Board discussed.

NO. 82-2019 07/17/19 Accept Letter of Resignation of Assessor Gerald P. Merrill

Janet Champlin made the following resolution:

WHEREAS, Gerald P. Merrill plans to retire from Downsville Central School as of August 01, 2019; and

WHEREAS, the New York State Retirement System has notified him that in order to include his retirement contributions from the Town of Colchester in his retirement package, he must resign his position as Assessor Chairman; and

WHEREAS, Gerald P. Merrill has handed in a letter of resignation from the office of Town of Colchester Assessor Chairman for NYS retirement purposes, effective August 01, 2019;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby accepts letter of resignation from Assessor Gerald P. Merrill with consideration of his re-appointment at the August 07, 2019 Town Board Meeting.

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

Supervisor reported that Town Justice DeRosia would like to hire another Court Clerk to help out the CF Court; so much work to do and going over 20 hours per week; a lot of civil cases now; both Court Clerks have stated that they do not want more hours; could possibly come over to this Court; temporary basis until trained and authorized to use the system. Board discussed.

NO. 83-2019 07/17/19 Appoint Cyndie J. Chinnici as Justice Clerk

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby appoints Cyndie J. Chinnici of 348 Horton Brook Road, Roscoe, New York as a Part-time Justice Clerk at the pay rate of \$14.80 per hour with no benefits.

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

Supervisor Merrill made the following announcements:

- Music in the Park, Thursday July 18th 6-9PM
- Town Clerk's Office Closing at Noon on Fridays through August 30th
- Next Regular Board Meeting Wed., August 7th @ 7PM
- Special Board Meeting Wed., July 24th at 4PM
- Park Paddle Trail Project Informational Meeting Mon., Aug. 5th at 6PM at Pepacton Park

SUBMISSION OF BILL/EXPENSES: Janet Champlin made the motion, seconded by Mark Mattson, that the vouchers be approved, subject to any corrections or deletions, Mark Mattson-aye, Julie Markert-aye, Janet Champlin-aye, Arthur Merrill-aye, Greg Lavorgna-absent, motion carried. Abstract No.13-2019 Voucher No.388-419; Totaling \$68,338.11.

With no further business, Janet Champlin made the motion for adjournment, seconded by Mark Mattson, Mark Mattson-aye, Julie Markert-aye, Janet Champlin-aye, Arthur Merrill-aye, Greg Lavorgna-absent, motion carried. Meeting adjourned at 8:12 PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk