

August 21, 2019

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, August 21, 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., Vicky Klukkert-The Reporter, Bonnie Seegmiller, Joan Homovich, Alan Donner, Gene & Ruth Wilhowsky, Barry Jones 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, August 07, 2019 had been distributed earlier. Janet Champlin 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 inquired about the Environmental Impact Statement for the Park Paddle Project and asked if the project would be posted on the website. Supervisor replied that the EIS is being worked on and the grant project was given to be placed on the website; he will look into it. Ms. Homovich commented that she read the grant application and it stated that Pio DeRoda was the project manager with an administration fee of \$18,500; is the engineering cost included in this fee. Supervisor replied that Ms. DeRoda is the State Grant Contact; engineering cost is separate; we will follow the state grant procedures and polices.

CORRESPONDENCE:

- Dept. of the Army- Permit Application No.NAN-2019-00934-UDA by Del. Co. for County Bridge 98 (over Horton Brook) in the Town of Colchester authorized.
- NYS Dept. of Taxation & Finance- Certificate of the Final State Equalization Rate for the 2019 Assessment Roll for the Town of Colchester is 2.99.
- Town of Colchester Planning Board- Sexual Harassment Policy Prevention Training List.
- NYS Environmental Facilities Corp. - Water Infrastructure Improvement Act (WIIA) Grant applications due Sept. 13th; we will not be doing another grant application.
- Coalition for the Delaware River Watershed- Town of Colchester receiving a Watershed Quality Municipal Award at their upcoming Form on October 17th.

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

- Planning Board- July 18, 2019 Minutes.

Supervisor Merrill reported that he has talked with Jeff Francisco of Delaware Engineering regarding the DWD DWSRF #17537 Project; we can get more funds added to the loan of the DWSRF #17537; we need to make a request by Sept. 3rd if we wish to proceed with project and increase the loan. Board discussed. Supervisor suggested an increase of \$145,000 to the loan and then we would have to increase the flat rate by \$10 making the flat rate \$60.00. Board discussed further. Board agreed that meters need to be repaired and installed and to move forward with the DWD DWSRF #17537 Project.

NO. 88-2019 08/21/19 Apply for \$145,000 increase to DWSRF #17537

Julie Markert made the following resolution:

WHEREAS, the Town of Colchester had applied for funding for the Downsville Water District Improvement Project, D0-17537; and

WHEREAS, the NYS Environmental Facilities Corporation has approved the aforementioned application; and

WHEREAS, the first round of bids came in over the estimated project amount; and

WHEREAS, the Downsville Water District has insufficient funds to do the project; and

WHEREAS, the Town Board of the Town of Colchester deems it beneficial and in the best interest of the Downsville Water District;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Colchester hereby request to NYS Environmental Facilities Corporation of an additional \$145,000 (one hundred forty-five thousand dollars) to their loan amount of the DWSRF Project #D0-17537 for a grand total of \$463,476.00 (\$272,390.00 Loan + \$191,086.00 Grant).

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

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

NO. 89-2019 08/21/19 Revise Water Rates for the Downsville Water District

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester in the exercise of its powers as Governing Board of the Downsville Water District, an improvement district in the Town of Colchester, hereby establishes new quarterly water rates in said Downsville Water District for water consumers in said district, via:

- 1) Flat Rate (un-metered property) - \$60.00 quarterly minimum charge.
- 2) Metered users- minimum rate - \$60.00 quarterly minimum charge, which entitles user to use up to 3000 gallons per quarter;
- 3) A \$3.00 per thousand gallons will be charged in excess of 3000 gallons of water used.
- 4) Eligible real property owners for water use service in the Downsville Water District where unconnected with water system - Flat Rate -\$50.00 quarterly minimum.
- 5) Downsville Central School District, unlimited usage, \$6,500.00 per annum payable quarterly (\$1,625) on January 1st, April 1st, July 1st and October 1st of each year.
- 6) Downsville Fire District, unlimited usage, \$6,500.00 per annum payable October 1st of each year.
- 7) Town of Colchester, unlimited usage, \$6,500.00 per annum payable October 1st of each year.

Unpaid water charge in arrears of thirty days or longer is subject to a 10% penalty on amount due and will be added to the next quarterly water bill.

Water bills shall be mailed to users on January 1st, April 1st, July 1st and October 1st of each year, and shall be due and payable within thirty days after mailing.

These rates shall be effective as of January 01, 2020 (April 01, 2020 billing).

All persons requesting service from the DWD shall be responsible for the cost of a tapping fee which shall be Two Hundred Fifty Dollars (\$250.00). All laterals installed by users will be of copper piping as approved by the Water Plant Operator. Each user shall maintain the lateral service pipe from the system to the customer's building free of leaks and shall maintain such quality of piping as approved by the Water Plant Operator. In the event that repairs to lateral service are required by any customer, the customer will immediately notify the Water Plant Operator.

Resolution was seconded by Mark Mattson.

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

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

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

Highway Supt Eck reported that the Tiffany Hollow NFPP Grant- Gregory Hollow Road Culvert Replacement Project is in the works.

Supervisor Merrill reported that the Town Attorney is working on the NYCDEP Downsville Water District Contract.

Supervisor reported that the Downsville Park Paddle Trail Development Project is moving slowly; the Highway Dept. is taking down the old storage building.

Supervisor Merrill reported that a Revised Truck Bid for a 2019 or newer 4x4 Pickup Truck has been submitted.

Supervisor Merrill reported that Robert Green Truck Division Service Dept. is in need of written approval for repairs to the Truck #116, 2012 Dodge Ram 5500; The exhaust manifold repair that was authorized is approx. \$3000; Further repairs to the fuel and emission system will be approximately \$10500-\$11000 which includes the non-recall converter which was melted by the leaking fuel injectors-all six fuel injectors are the main expense. Board discussed. It was suggested to see how much a new motor would cost. Board discussed further.

NO. 90-2019 08/21/19 Repairs to 2012 Dodge Ram 5500- Truck #116

Mark Mattson made the following resolution:

WHEREAS, costly repairs are needed for Truck #116, a 2012 Dodge Ram 5500; and

WHEREAS, in the best interest of the Town of Colchester a new motor may be more beneficial;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes the purchase of a new motor, not to exceed the cost of \$20,000 for Truck #116, a 2012 Dodge Ram 5500 from Robert Green Truck Division;

FURTHER RESOLVED, that if the motor purchase is more than \$20,000, the Town Board of the Town of Colchester hereby authorizes the repairs to the fuel and emission system not to exceed \$11,000 by Robert Green Truck Division.

Resolution was seconded by Janet Champlin, Mark Mattson-aye, Julie Markert-aye, Janet Champlin-aye, Arthur Merrill-aye, Greg Lavorgna-absent, motion carried.

Supervisor Merrill read a letter of resignation from Ronnie MacDonald Jr. as an HEO and Cemetery Supervisor; his last day of work will be August 25th. Board discussed.

NO. 91-2019 08/21/19 Letter of Resignation from Ronnie MacDonald Jr.

Janet Champlin made the following resolution:

WHEREAS, on August 12, 2019 a Letter of Resignation was presented to Supervisor Arthur M. Merrill from Ronnie MacDonald Jr. from the Highway and Cemetery Departments;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby accepts said Letter of Resignation from Ronnie MacDonald Jr. as a Town of Colchester HEO/Cemetery Supervisor effective August 26th.

Resolution was seconded by Mark Mattson, Mark Mattson-aye, Julie Markert-aye, Janet Champlin-aye, Arthur Merrill-aye, Greg Lavorgna-absent, motion carried.

Supervisor Merrill read a letter of resignation from Justin McAdams as an HEO/Cemetery Laborer; his last day will be August 25th. Board discussed.

NO. 92-2019 08/21/19 Letter of Resignation from Justin McAdams

Janet Champlin made the following resolution:

WHEREAS, on August 21, 2019 a Letter of Resignation was presented to Supervisor Arthur M. Merrill from Justin McAdams from the Highway and Cemetery Departments;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby accepts said Letter of Resignation from Justin McAdams as a Town of Colchester HEO/Cemetery Supervisor effective August 26th.

Resolution was seconded by Mark Mattson, Mark Mattson-aye, Julie Markert-aye, Janet Champlin-aye, Arthur Merrill-aye, Greg Lavorgna-absent, motion carried.

Supervisor Merrill made the following announcements:

- Town Clerk's Office Closing at Noon on Fridays through August 30th
- Town Hall Offices Closed Monday, September 2nd - Labor Day
- Next Regular Board Meeting Wed., September 4th @ 7PM

Councilwoman Markert mentioned that the tree on Union Street looks bad. Hwy Supt Eck replied that he will take a look at it.

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.15-2019 Voucher No.466-488; Totaling \$176,673.92.

Julie Markert made the motion to go into executive session to discuss contract negotiations and highway and cemetery personnel applications, seconded by Mark Mattson, Mark Mattson-aye, Julie Markert-aye, Janet Champlin-aye, Arthur Merrill-aye, Greg Lavorgna-absent, motion carried. Hwy Supt, Town Clerk, Barry Jones and James Shields were invited to stay. Board and guests entered executive session at 7:45 PM. Board held discussion. Janet Champlin made the motion to enter back into regular session, seconded by Julie Markert, Mark Mattson-aye, Julie Markert-aye, Janet Champlin-aye, Arthur Merrill-aye, Greg Lavorgna-absent, motion carried. Board entered regular session at 8:26 PM. Board held discussion and made the follow three resolutions.

NO. 93-2019 08/21/19 Listing Agreement with Upper Delaware Real-Estate

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to execute a Listing Agreement with Upper Delaware Real-Estate for the Town's property located at 15276 State Hwy 30, Downsville, New York.

Resolution was seconded by Mark Mattson, Mark Mattson-aye, Julie Markert-aye, Janet Champlin-aye, Arthur Merrill-aye, Greg Lavorgna-absent, motion carried.

NO. 94-2019 08/21/19 Hire Kevin M. Green Jr. as HEO1

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby hires Kevin M. Green Jr. of 18663 County Hwy 17, Roscoe, New York as a HEO1 provisional for one year, at a pay rate of \$17.55 per hour with benefits, effective September 11, 2019, assignments and duties at the discretion of the Highway Superintendent;

FURTHER RESOLVED, that Kevin M. Green Jr. will have the anniversary date of the first day of January 2020.

Resolution was seconded by Mark Mattson, Mark Mattson-aye, Julie Markert-aye, Janet Champlin-aye, Arthur Merrill-aye, Greg Lavorgna-absent, motion carried.

NO. 95-2019 08/21/19 Hire Nicholas J. Tompkins as a Part-time Highway Employee
Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes the provisional appointment of Nicholas J. Tompkins of 3700 Telford Hollow Road, Hamden, New York as a Town of Colchester Part-time Highway Employee at a pay rate of \$13.00 per hour with no benefits, effective September 11, 2019, assignments and duties at the discretion of the Highway Superintendent;

FURTHER RESOLVED, the permanent employment of Nicholas J. Tompkins is pending upon receiving his CDL license within six months of hire date.

Resolution was seconded by Mark Mattson, Mark Mattson-aye, Julie Markert-aye, Janet Champlin-aye, Arthur Merrill-aye, Greg Lavorgna-absent, motion carried.

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 8:31 PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk