

September 18, 2019

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, September 18, 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, Vicky Klukkert-The Reporter, Bonnie Seegmiller, Joan Homovich, Alan Donner, and Officer Cawley.

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, September 04, 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.

VISITOR COMMENTS: Joan Homovich inquired to the status of the police building. Supervisor replied that we asked for bids for pricing; we would have to re-bid if we wanted to proceed. Ms. Homovich asked about the EIS for the Park Project. Supervisor replied that we are waiting on a response from SHIPO; not sure when it will be done. Supervisor added that the grant application is not on-line yet.

CORRESPONDENCE:

- Delaware County DPW- Clean Sweep- Chemical Disposal Days- October 25th & 26th.
- Friends of the Upper Delaware River- Press Release 9/18/19- FUDR received three federal grant awards totaling close to \$750,000 from the National Fish and Wildlife Foundation for stream protection and restoration projects in the upper Delaware River watershed; Colchester- culvert replacement in Gregorytown.

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

- Town Justice Edel- August 2019.

Supervisor Merrill reported that we had a conference call with all interested parties regarding the Downsville Water System Improvement Project DWSRF #17537 and increasing our loan amount with EFC; we are required to do a new Bond Resolution with new numbers and a Public Hearing is required; to move things along and give proper notice we would like to schedule the public hearing for the meeting of October 16th. Board discussed.

NO.104-2019 09/18/19 Notice of Public Hearing

Janet Champlin offered the following resolution:

A RESOLUTION AND ORDER CALLING A PUBLIC HEARING TO BE HELD ON OCTOBER 16, 2019 AT 7 P.M. REGARDING INCREASED ESTIMATED MAXIMUM COST FOR A WATER SYSTEM IMPROVEMENT PROJECT FOR THE DOWNSVILLE WATER DISTRICT, IN THE TOWN OF COLCHESTER, IN THE COUNTY OF DELAWARE, STATE OF NEW YORK, PURSUANT TO SECTION 202-b OF THE TOWN LAW

WHEREAS, the Town Board of the Town of Colchester (herein called "Town Board" and "Town", respectively, in the County of Delaware, New York, on behalf of the Downsville Water District, in the Town (herein called "District"), after a public hearing duly called and held on February 21, 2017, approved the improvement of facilities of the District, consisting of water

system improvements as described in the Preliminary Engineering Report prepared by Delaware Engineering, P.C., engineers duly licensed by the State of New York (herein called “Engineer”) dated February, 2017. Such improvements include construction of a new water filtration plant for the existing spring source, and including original furnishings, equipment, machinery and apparatus required therefor. Following completion of design and opening of bids for the acquisition, construction and installation of the improvements, the Engineer has completed and filed with the Town Board an amendment to Engineer’s report for the improvement of facilities of the District, and the Engineer has estimated the total increased maximum cost thereof not to exceed \$495,000; and

WHEREAS, it has previously been determined that the aforesaid purpose constitutes a Type I action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under SEQRA not to have a significant impact on the environment;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. A public hearing of the Town Board of the Town shall be held at the Town Hall in the Town on October 16, 2019 at 7PM. (Prevailing Time) to consider said increased maximum estimated cost for the proposed improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law;
2. The Town Clerk shall publish at least once in The Reporter, a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication, and post on the signboard of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a notice in substantially the form attached hereto, the first publication thereof and posting to be not less than ten (10) days or more than twenty (20) days before the date of such public hearing.
3. This Resolution shall take effect immediately.

Resolution was seconded by Mark Mattson. The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Arthur M. Merrill	Voting Aye		
Janet L. Champlin	Voting Aye	Gregory L. Lavorgna	Voting Aye
Julie A. Markert	Voting Aye	Mark W. Mattson	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 the trusses are installed in the addition of the Cooks Falls Highway Garage; there is a voucher in tonight; the project is about half way completed.

Supervisor Merrill reported that we received a voucher from the Engineer for the Gregory Hollow Road Stream Crossing Project (Tiffany Hollow Culvert) and not sure we are going to pay; it is the balance of their contract, but there was a change order due to their mistake. Highway Supt commented that the project has been extended to Nov. 15th, supplies won’t be delivered until Oct. 15th; Engineer was supposed to be the daily inspector but he moved to Texas; we are trying to schedule a conference call with him; we will make sure not to use this engineer again. Board discussed further.

Supervisor Merrill reported that the Town Attorney is working on the NYCDEP & DWD Contract; should have by next meeting.

Highway Supt Kenneth Eck reported that we have received the responses for the 4x4 Pickup Truck Mini-bids; this is to replace the Hwy Supt truck; his truck will go to the Deputy Hwy Supt; he represented the results and Board discussed.

NO.105-2019 09/18/19 2020 Ford F150 4x4 Pickup Truck

Julie Markert offered the following resolution:

WHEREAS, General Municipal Law 103 Subdivision 16 authorizes governments to purchase apparatus, materials, equipment and supplies through the use of contracts let by United States or any agency thereof;

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby accepts the Mini-Bid #19090010 Award 22898 of Genesee Valley Ford LLC for a 2020 Ford F150 4x4 Pickup Truck;

FURTHER RESOLVED that the Town Board of the Town of Colchester hereby authorizes the purchase of one 2020 Ford F150 4x4 Pickup Truck from Genesee Valley Ford LLC for the delivered price of \$26,447.54.

Resolution was seconded by Janet Champlin.

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

Arthur M. Merrill	Voting Aye		
Janet L. Champlin	Voting Aye	Gregory L. Lavorgna	Voting Aye
Julie A. Markert	Voting Aye	Mark W. Mattson	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 the Sexual Harassment Prevention Training must be completed by October 9th; having some issues getting it on the website; training has been downloaded to the Supervisor's and Town Clerk's computers.

Highway Supt Eck reported that the repairs on Horse Brook Road have held so far; GSI is coming October 8th for the Campbell Mtn. Road Project.

Supervisor Merrill reported that new LED lights are being installed at Town Hall; Ace Glass Co. will be her the end of September/beginning of October to install the new front door.

Supervisor reminded everyone to see him regarding budget requests; we have received numbers for health insurance, they are going up a little; the HRA risk was \$230,000 and we have used about \$53,000; may lower the health insurance lines; seems to be working okay.

Supervisor Merrill stated that it is time to bid out fuel for the vehicles and buildings. An ad will be placed; bids are due on October 16th by 2PM in the Town Hall at which time they will be opened and read aloud. The bid will be awarded at the Oct. 16th Board Meeting. Board discussed.

NO.106-2019 09/18/19 Bid Proposal No.01-19 Fuel

Mark Mattson made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to advertise for bids for the purpose of purchasing the following fuels: No. 2 Heating Fuel and Kerosene to be delivered as needed to various buildings in the Town; Propane to be delivered to the highway garages located at 6292 River Road, Downsville and 20246 County Hwy 17, Cooks Falls; Diesel Fuel and Winter Blend to be delivered to the highway garage located at 6292 River Road, Downsville. Bids will be received at the office of the Colchester Town Clerk, 72 Tannery Road, Downsville, New York until 2:00 PM on the 16th day of October, 2019. Bids will be publicly opened and read aloud at the Town Hall on October 16, 2019 at 2:00 PM.

Resolution was seconded by Greg Lavorgna, all in favor, resolution declared adopted

Supervisor Merrill reported that the Town of Decatur would like to purchase our Truck #118, a 2015 Freightliner Dump Truck; at our last meeting we approved having the box painted on this truck for \$10,000; the Town of Decatur would like to purchase as is (not painted) for \$125,000. Board discussed.

NO.107-2019 09/18/19 2015 Freightliner Dump Truck to Town of Decatur

Greg Lavorgna offered the following resolution:

WHEREAS, pursuant to the provisions of Section 142(5) of the Highway Law Town Highway Supt with Board approval may sell any such machinery, tools, implements and equipment, which are no longer needed by the Town;

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby approves the sale of a 2015 Freightliner Dump Truck-VIN: 1FVHG3DV0FHGN4827, as is, to the Town of Decatur for the lump sum of \$125,000.00.

Resolution was seconded by Janet Champlin.

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

Arthur M. Merrill	Voting Aye		
Janet L. Champlin	Voting Aye	Gregory L. Lavorgna	Voting Aye
Julie A. Markert	Voting Aye	Mark W. Mattson	Voting Aye

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

Highway Supt Eck presented a bid from the Onondaga County Contract #7974 for a 2019 International CV515 4x4 Chassis, this truck would replace Truck #149, a 2009 GMC Dump Truck; needs to be painted red and comes with Boss10' HD Snow Plow and central hydraulic system; delivered price is \$81,296. Board discussed.

NO.108-2019 09/18/19 2019 International CV515 4x4

Greg Lavorgna offered the following resolution:

WHEREAS, General Municipal Law 103 Subdivision 16 authorizes governments to purchase apparatus, materials, equipment and supplies through the use of contracts let by United States or any agency thereof;

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby accepts the Bid Reference Piggy Back Onondaga County Contract #7974 of Stadium International Trucks for 2019 International CV515 4x4 Plow Truck;

FURTHER RESOLVED that the Town Board of the Town of Colchester hereby authorizes the purchase of one 2019 International CV515 4x4 Plow Truck from Stadium International Trucks for the delivered price of \$81,296.00, pending verification of said Onondaga County Contract #7974.

Resolution was seconded by Julie Markert.

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

Arthur M. Merrill	Voting Aye		
Janet L. Champlin	Voting Aye	Gregory L. Lavorgna	Voting Aye
Julie A. Markert	Voting Aye	Mark W. Mattson	Voting Aye

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

Supervisor commented that we need to do a budget amendment for the DWD; we have received our payment request from the NYSEFC for the DWSRF #17537 Project. Board discussed.

NO.109-2019 09/18/19 Budget Amendment for DWD

Janet Champlin made the following resolution:

WHEREAS, the Downsville Water District has made Requisition Number 4 to the New York State Environmental Facilities Corporation in the amount of \$4,231.31 for the DWD DWSRF #17537 Project; and

WHEREAS, the Town of Colchester has received said NYSEFC funds in the amount of \$4,231.31;

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 DWD Revenue State Aid/Water Capital Project Fund #3991.08 by \$4,231.31 and increasing the DWD Appropriations Rehabilitation Grant Fund #8668.4.08 by \$4,231.31.

Resolution was seconded by Mark Mattson.

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

Arthur M. Merrill Voting Aye

Janet L. Champlin Voting Aye

Julie A. Markert Voting Aye

Gregory L. Lavorgna Voting Aye

Mark W. Mattson Voting Aye

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

Supervisor commented that we have received an application for a Public Facility Permit from the Downsville Fire Dept. Ladies Auxiliary to use the Covered Bridge Park located at 48 Bridge Street and the Pepacton Park located at 15500 State Hwy 30 for possible Maple Leaf Festival Vendors on Saturday, October 12th; the Auxiliary is doing the Maple Leaf Festival this year as the Downsville Lions' Club did not have enough people to manage it this year. Board discussed. NO.110-2019 09/18/19 Public Facility Permit No.10-2019

Julie Markert made the following resolution:

WHEREAS, Colleen Griffith on behalf of the Downsville Fire Dept. Ladies Auxiliary has applied for a Public Facility Permit to use Covered Bridge Park located at 48 Bridge Street and Pepacton Park located at 15500 State Hwy 30 for possible Maple Leaf Festival Vendors on Saturday, October 12th from 9:00AM to 4:00PM;

THEREFORE BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the Town Clerk to issue Public Facility Permit No.10-2019 to the Downsville Fire Dept. Ladies Auxiliary for the use of Covered Bridge Park located 48 Bridge Street and Pepacton Park located at 15500 State Hwy 30, Downsville, NY on October 12, 2019.

Resolution was seconded by Greg Lavorgna, all in favor, resolution declared adopted.

Councilman Lavorgna reported that he has received the water heater for the Town Pool.

Supervisor Merrill made the following announcements:

- Next Regular Board Meeting Wed., October 2nd @ 7PM

Councilwoman Markert inquired to the hump in the road at the STOP sign on Knox/Rte.206. Hwy Supt Eck replied that it needs to be grounded out; he will contact the County DPW for a machine; tractor trailers causing problem on hot payment.

Councilwoman Markert commented that we did not have a celebration/event for John Bogart when he retired from the Transfer Station. Supervisor replied that his retirement date is the end of the year and we will do something at that time.

Councilwoman Markert inquired if the cop car had been wrecked again. Supervisor replied no; earlier repairs were not completed. Councilwoman Markert asked if we are going to put the decals on the newest police car.

Councilwoman Markert reported that there is a tree on Union that needs addressing. Hwy Supt replied that we will take care of it when we do the one on Knox; we are going off county bid.

Councilman Lavorgna reported that there is a culvert on Fuller Hill Road that needs repairing. Hwy Supt will look into it.

Councilman Lavorgna commented that he has received compliments of Kenny Kipp at the Transfer Station. Supervisor replied that Kenny takes pride in his job.

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.17-2019 Voucher No.516-550; Totaling \$153,722.66.

Julie Markert made the motion to go into executive session to discuss Contract Negotiation, seconded by Mark Mattson, all in favor, motion carried. Board entered executive session at 8:05 PM. Town Attorney and Town Clerk were invited to stay. Board held discussion. Janet Champlin made the motion to enter back into regular session, seconded by Mark Mattson, all in favor, motion carried. Board entered regular session at 8:11 PM. Board made no decision forthcoming.

Councilwoman Markert asked if the Town would consider cutting down the tree and shrubs bordering the Eagle Hotel and Dukes lot. Board discussed.

With no further business, Mark Mattson made the motion for adjournment, seconded by Janet Champlin, all in favor, motion carried. Meeting adjourned at 8:15 PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk