

October 16, 2019

A Public Hearing was held by the Town Board of the Town of Colchester, Delaware County, New York on Wednesday, October 16, 2019 in the Town Hall, 72 Tannery Road, Downsville, New York at 7:00PM.

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., Vicky Klukkert-The Reporter, Jeff Francisco-Delaware Engineering, Bonnie Seegmiller, Alan Donner, Gene & Ruth Wilhowsky and Brian & Dee Murphy.

Supervisor Merrill stated that a public hearing has been called at this time and place to consider the improvement of facilities of the Downsville Water District, in the Town of Colchester 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, and amended September 20, 2019 at a total increased maximum cost thereof not to exceed \$463,476, 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. 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.

The Town Supervisor read, in full, the order calling said public hearing and the Town Clerk presented affidavits showing that certified copies of said order had been duly published and posted pursuant to the provisions of Section 202-b of the Town Law.

Ruth Wilhowsky asked how much is budgeted for the project. Supervisor replied that this project is being funded by a loan and grant, rate payers will need to pay back the loan; we need to bond the project; we pay the bills and then get reimbursed. Ms. Wilhowsky inquired to how many bidders were there for this project. Supervisor replied five bidders that ranged from \$390,757 to 682,834. Ms. Wilhowsky asked if rates were increased. Supervisor replied that new rates will start next year with usage starting 1-1-20 for the bills going out in April.

Brian Murphy inquired if new meters would be installed. Supervisor replied that is not included with this project; the district does not have funds for this; we have applied for other grants for this but have not received the funds; we anticipate that once the water comes from the springs and is filtered, our O&M expenses will be less and then we can purchase new meters.

The Town Supervisor stated that the public hearing in the said matter was now open and asked if there were any interested persons present who desired to be heard.

The following persons appeared in favor of the proposed increase and improvement of facilities of said Downsville Water District:

Alan Donner, Gene & Ruth Wilhowsky and Brian & Dee Murphy.

No persons appeared in opposition to said proposed increase and improvement of facilities:

All persons desiring to be heard, having been heard, Supervisor Arthur M. Merrill declared the Public Hearing closed at 7:11 PM.

Respectfully Submitted:
Julie B. Townsend, Town Clerk

October 16, 2019

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, October 16, 2019, immediately following the Public Hearing, at 7:12 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
Julie B. Townsend	Town Clerk

Recording Secretary: Julie B. Townsend
Others present: Kenneth R. Eck, Jr.-Highway Supt., Vicky Klukkert-The Reporter, Jeff Francisco-Delaware Engineering, Bonnie Seegmiller, Alan Donner, Gene & Ruth Wilhowsky and Brian & Dee Murphy.

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, October 02, 2019 had been distributed earlier. Janet Champlin made the motion to accept the minutes as written, seconded by Julie Markert, all in favor, motion carried.

GUESTS: Jeff Francisco of Delaware Engineering stated that he was here to answer any questions regarding the DWD Water System Improvement Project; Richard W. Wakeman, Inc. has sent a letter stating that there would be an additional cost of \$14,044 to their bid price; if you accept their bid a change order will be needed. Supervisor replied that we will discuss this further into the meeting and thanked Mr. Francisco for all of his help.

VISITOR COMMENTS: Alan Donner commented that the new front door to the Town Hall looks great. Supervisor replied that it is a much better door and more energy efficient; next year the top stoop will be repaired.

Ruth Wilhowsky inquired to why a new police car was purchased. Supervisor replied that we are on a four-year cycle for police vehicles; every two years we purchase a new vehicle for the Police; it will take at least six months to receive the vehicle; we will be selling the 2012 Ford Taurus. Ms. Wilhowsky stated that in her opinion people should have a vote.

CORRESPONDENCE:

- Senator Charles Schumer- thank you to the Supervisor for joining last week in the push for the ARC to approve Delaware County's grant application to install a new Audible Early Warning Flood System.
- Cornell Cooperative Extension- Registration & Payment Options for their Annual Meeting, November 13th at the Castle on the Delaware.
- NYSDEC- report of site visit on 9/30/19 of the spill located at 15500 State Hwy 30; no Article 15 violation exists; some soil disturbance occurred but was minor; it was

recommended that a row of silt fence be installed between the river and the gravel parking lot to prevent any runoff from the parking lot from getting into the River.

- NYCDEP- September 2019 Report of Lands Acquired by NYC, State & Watershed Agricultural Council.
- Congressman Delgado- 2019/2020 Delaware River Conservation Fund Grants – Friends of the Upper Delaware and Trout Unlimited.

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

- Downsville Water District- Partial Payment for October 2019- Receipts of \$4,186.97 disbursed to Supervisor.
- Town Justice Edel- September 2019.

Supervisor Merrill reported that Bond Council has prepared two resolutions for us to adopt regarding the increased amount of the DWD Improvement Project. Board reviewed and discussed.

NO.115-2019 10/16/19 Resolution and Order after Public Hearing, Approving an Amendment to the Maximum Principal Amount for a Water System Improvement Project for 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

Janet Champlin made the following resolution:

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; and

WHEREAS, the Engineer has completed and filed with the Town Clerk an amendment to Engineer's report dated September 20, 2019 for the improvement of facilities of the District, and the Engineer has estimated the total increased maximum cost thereof not to exceed \$463,476; and

WHEREAS, notice of such public hearing regarding an increase in the estimated maximum amount of the improvements was published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on this 16th day of October, 2019 at 7:00 o'clock p.m. (Prevailing Time) at the Town Hall in the Town, and discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase in maximum amount for the improvement of the facilities; and

WHEREAS, the Town has previously 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 SEQR not to have a significant impact on the environment; and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law;

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Colchester as follows:

1. On the basis of the information given at such hearing, it is hereby determined that it is in the public interest to improve the facilities of the District as hereinabove described and referred to at the increased estimated maximum cost of \$463,476;
2. It is hereby ordered that the facilities of the District shall be so improved;
3. This Resolution shall take effect immediately.

Resolution was seconded by Mark W. Mattson.

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, Gregory L. Lavorgna	voting aye
Councilperson, Julie A. Markert	voting aye
Councilperson, 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.

NO.116-2019 10/16/19 Supplemental Bond Resolution Dated October 16, 2019

Julie A. Markert made the following resolution:

A RESOLUTION AMENDING AND SUPPLEMENTING BOND RESOLUTION NO. 22-2017 DATED FEBRUARY 21, 2017, AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE TOWN OF COLCHESTER, DELAWARE COUNTY, NEW YORK IN AN ADDITIONAL AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$113,476 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE INCREASED COSTS OF IMPROVEMENTS OF FACILITIES OF THE DOWNSVILLE WATER DISTRICT, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE TOWN SUPERVISOR

WHEREAS, the Town of Colchester, Delaware County, New York (“Town”) has previously adopted its Bond Resolution No. 22-2017 dated February 21, 2017 entitled “A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE TOWN OF COLCHESTER, DELAWARE COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$350,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE IMPROVEMENTS OF FACILITIES OF THE DOWNSVILLE WATER DISTRICT IN THE TOWN OF COLCHESTER, NEW YORK, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE TOWN SUPERVISOR” (the “2017 Bond Resolution”), authorizing the issuance of serial bonds in an aggregate principal amount not to exceed \$350,000 for improvements to the facilities of the Downsville Water District; and

WHEREAS, the Town has previously entered into a project finance agreement with the New York State Environmental Facilities Corporation providing for \$127,390 in short-term financial assistance through the issuance of the Town’s note entitled “E.F.C. Drinking Water Facility Note – 2017A (Bond Anticipation Note)” dated September 28, 2017; and

WHEREAS, based on the final estimated costs of the project, it is necessary to increase the estimated aggregate maximum cost of such project and the authorized amount of serial bonds by \$113,476, resulting in an increased estimated aggregate principal amount of \$463,476 and to modify the plan of financing accordingly;

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Colchester, Delaware County, New York (by the favorable vote of not less than two-thirds of all of the members of the Town Board) as follows:

SECTION 1. Section 1 of the 2017 Bond Resolution is hereby amended and supplemented to read as follows:

SECTION 1. The improvements to the facilities of the Downsville Water District, including construction of a new water treatment facility to provide filtration for the existing spring source, together with a raw water tank, and including original furnishings, equipment, machinery and apparatus required therefor, is hereby authorized at an increased maximum estimated cost of

\$463,476, and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph a of Section 11 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty years.

SECTION 2. Section 4 of the 2017 Bond Resolution is hereby amended and supplemented by increasing the amount of serial bonds to be issued by an additional \$113,476, said section to read as follows:

SECTION 4. Pursuant to the Bond Resolution adopted February 21, 2017, the Town has previously authorized the issuance of serial bonds of the Town in an aggregate amount not to exceed \$350,000 and has issued obligations in the amount of \$127,390 in the form of a short term note payable to New York State Environmental Facilities Corporation (“NYS EFC”). Nothing in this resolution shall be deemed to impair the obligations previously issued pursuant to said bond resolution. The Town plans to finance the additional cost of the purpose described herein by the issuance of serial bonds of the Town in an amount not to exceed \$113,476, for a total authorized amount of \$463,476, hereby authorized to be issued therefor pursuant to the Local Finance Law. The Town plans to apply available proceeds of a drinking water grant from NYS EFC pursuant to a project financing agreement to pay or repay a portion of the project costs.

SECTION 3. It is hereby determined that the aforesaid purpose constitutes a Type I action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which is determined under SEQRA not to have a significant impact on the environment.

SECTION 4. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) Such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(2) The provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with; and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(3) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 5. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in The Reporter, being a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication.

SECTION 6. This resolution shall take effect immediately.

Resolution was seconded by Gregory L. Lavorgna.

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, Gregory L. Lavorgna	voting aye
Councilperson, Julie A. Markert	voting aye
Councilperson, 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.

NO.117-2019 10/16/19 Award Bid No.TC1-G-2017 DW System Improvement Project
Janet Champlin made the following resolution:

WHEREAS, the Town of Colchester has secured additional funding for Contract No.TC1-G-2017 Downsville Water System Improvement Project from the New York State Environmental Facilities Corporation; and

WHEREAS, the Town Board had authorized Delaware Engineering, DPC to contact the previous lowest responsible bidder, Richard W. Wakeman Inc., for Contract No.TC1-G-2017 to verify if their bid was still valid; and

WHEREAS, on October 10, 2019 Richard W. Wakeman Inc. responded that material costs had increased by \$14,044.00 (Change Order No.1); and

WHEREAS, with the additional costs of \$14,044.00 added to the original costs of \$390,757.00, Richard W. Wakeman Inc. still had the lowest responsible bid; and

WHEREAS, after further deliberations of said bid, Delaware Engineering, DPC and the Town Attorney recommend awarding said bid to the lowest responsible bidder, Richard W. Wakeman Inc.;

NOW, THERFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby awards Richard W. Wakeman Inc. Bid Contract No.TC1-G-2017 Downsville Water System Improvement Project for the original bid price of \$390,757.00 plus Change Order No.1 in the amount of \$14,044.00 for a grand total of \$404,801.00;

BE IT FURTHER RESOLVED that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to sign the Notice of Award, Notice to Proceed, the Agreement and any other necessary paperwork for said contract.

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, Janet Champlin	voting aye
Councilperson, Gregory L. Lavorgna	voting aye
Councilperson, Julie A. Markert	voting aye
Councilperson, 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 Merrill reported that work is proceeding on the Cooks Falls Hwy Garage.

Supervisor reported that supplies for the Tiffany Hollow culvert project have been delivered per the new designs and DOIG Excavating should resume working soon.

Supervisor Merrill reported that the sexual harassment prevention training is completed.

Supervisor reported that GSI has started the project on Campbell Mtn Rd.

Highway Supt. reported that Auctions International has taken pictures of our surplus inventory and will be uploaded to the next available auction.

Supervisor reported that the following vehicles have been ordered:

- 2020 Ford 4x4 Pickup Truck- Genesee Valley Ford LLC -\$26,447.54.
- 2019 International CV515 4x4 Plow Truck- Stadium International Trucks- \$81,296.00.
- 2020 Freightliner 114SD- Tracey Road Equipment- \$191,500.
- 2020 Chevrolet Tahoe Police Vehicle - VanBortel Chevrolet- \$36,211.37.

Supervisor Merrill reported at the only change he made to the tentative budget was adding \$20,000 to the Police Equipment Line; with the increase we are at a 2.841%; we had a 1.08% growth factor from last year, so we are still under our tax cap. Board discussed further. If there are no more changes, we need to accept this as the Preliminary Budget and set the date for the Budget Hearing.

NO.118-2019 10/16/19 Budget Public Hearing

Greg Lavorgna made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby gives notice that the preliminary budget of the Town of Colchester, Delaware County, New York for the

fiscal year beginning January 01, 2020 has been filed in the office of the Town Clerk of said Town, where it is available for inspection by any interested person during regular office hours. Further notice is hereby given that the Town Board of said Town of Colchester will meet and review said preliminary budget and hold a Public Hearing thereon at 7:00 PM on Wednesday, the 6th day of November, 2019 at the Town Hall, 72 Tannery Road, Downsville, New York and that at such hearing any person may be heard in favor or against any item therein contained. And further notice is hereby given pursuant to Section 108 of the Town Law that the following are proposed yearly salaries of the Town Officers of this Town:

Supervisor	\$22,000.00	Town Clerk	\$34,650.00
Councilman (4@)	3,400.00 each	Supt. of Highways	51,000.00
Town Justice (2@)	12,800.00 each	Tax Collector	6,800.00

And further notice is hereby given that the regular monthly meeting of the Town Board will be held immediately following the Preliminary Budget Hearing.

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

Supervisor reported that the bid opening for Bid Proposal No. 01-19 Fuel was held today at 2PM; we received the following bids from one bidder:

No.2 Heating Fuel

Mirabito Energy Products- Jock Albany plus a Firm Differential of \$0.3233 per gal.
 Mirabito Energy Products- Firm Bid Price of \$2.5491 per gal.

Kerosene

Mirabito Energy Products- Jock Albany plus a Firm Differential of \$0.3233 per gal.
 Mirabito Energy Products- Firm Bid Price of \$2.8491 per gal.

Winter Blend

Mirabito Energy Products- Jock Albany plus a Firm Differential of \$0.2975 per gal.
 Mirabito Energy Products- Firm Bid Price of \$2.6085 per gal.

Diesel Fuel

Mirabito Energy Products- Jock Albany plus a Firm Differential of \$0.2975 per gal.
 Mirabito Energy Products- Firm Bid Price of \$2.5085 per gal.

Propane

Mirabito Energy Products- Jock Albany plus a Firm Differential of \$0.5500 per gal.
 Mirabito Energy Products- Firm Bid Price of \$1.67 per gal.

Board discussed.

NO.119-2019 10/16/19 Award Bid Proposal No. 1-19 Fuel

Janet Champlin made the following resolution:

WHEREAS, the Town of Colchester had advertised for Bid Proposal No. 1-19 Fuel; and
 WHEREAS, on October 16, 2019 the Town received said fuel bid from one bidder; and
 WHEREAS, on October 16, 2019 the Town opened said fuel bid from the one bidder;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby accepts the bid from Mirabito Energy Products for Bid Proposal No. 1-19 Fuel at a rate of:

- No.2 Heating Fuel - Firm Bid Price of \$2.5491 per gal.
- Kerosene- Firm Bid Price of \$2.8491 per gal.
- Winter Blend - Firm Bid Price of \$2.6085 per gal.
- Diesel Fuel- Firm Bid Price of \$2.5085 per gal.
- Propane - Firm Bid Price of \$1.6700 per gal.

FURTHER RESOLVED, that the Town Board hereby gives authorization to Supervisor Arthur M. Merrill to enter into contract with Mirabito Energy Products of 49 Court Street, PO Box 5306, Binghamton, New York 13902 for fuel to be delivered at various locations within the Town of Colchester.

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

Supervisor Merrill reported that we have received the new rates for next year's health insurance; last year we agreed to offer the Health Reimbursement Account (HRA) Option Excellus Blue Cross/Blue Shield SimplyBlue-Bronze 4 Health Care Plan; the HRA plan administered by Lifetime Benefit Solutions has been very beneficial to us and our risk assessment has been very low; do we want to continue this. Board reviewed rates and discussed.

NO.120-2019 10/16/19 Excellus BC/BS Health Care Contract

Greg Lavorgna made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby offers the Health Reimbursement Account (HRA) Option Excellus Blue Cross/Blue Shield SimplyBlue-Bronze 4 Health Care Plan administered by Lifetime Benefit Solutions for the Year 2020;

BE IT FURTHER RESOLVED, that it is the policy of the Town of Colchester that the Town will pay the full premium cost for full-time employees, with the exception of Members of the Teamsters Local Union No. 713, who contribute 6% of premiums; that the Town will pay for a single person plan for Full-Time Elected Officials, specifically, Town Supervisor, Town Clerk, and Superintendent of Highways; and if an elected official desires to purchase a health care plan through the Town as an elected employee, he/she shall be reimbursed 50% of a single person insurance premium;

FURTHER RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to contact Kaatirondack Benefit Planning Inc. that the Town of Colchester hereby accepts the contract of Health Reimbursement Account (HRA) Option Excellus Blue Cross/Blue Shield SimplyBlue-Bronze 4 Health Care Plan for the Year 2020;

FURTHER RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to deposit funds into the existing special HRA Health Spending Debit Card Account at Community Bank NA and hereby authorizes Lifetime Benefit Solutions with Electronic Withdrawals.

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, Gregory L. Lavorgna	voting aye
Councilperson, Julie A. Markert	voting aye
Councilperson, 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 we need to post notice before November 1st of the Seasonal Limited Use Highways and the Winter Road & Sidewalk Maintenance Public Notice. Highway Supt. Eck stated there were no changes. Board discussed.

NO.121-2019 10/16/19 Seasonal Limited Use Highways

Janet Champlin made the following resolution:

WHEREAS, pursuant to Section 205-a of the Highway Law which authorizes the Town Highway Superintendent annually before November 1st to designate any highway without occupied residences or commercial buildings dependent upon the road access as a "Seasonal Limited Use Highway";

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby accepts the Highway Superintendent's recommendation to designate the following Town of Colchester Highways as Seasonal Limited Use Highways:

- Dry Brook Road

- Hawks Hollow Road
- Berg Brook Road
- Horse Brook Road- from the junction of Rogers Hill Road to Morton Hill Road
- Lower Russell Brook Road- from entrance of Russell Brook Campground northeasterly to said point of abandonment, being 523 feet.
- Upper Russell Brook Road- from its intersection with Morton Hill Road southwesterly to said point of abandonment, being 4,137 feet.
- Murphy Hill Road- from 1407 Murphy Hill Road to the end
- Baxter Mt. Road- from Rosencranse to the end

FURTHERMORE, these highways shall be appropriately posted that snow & ice removal and maintenance may be temporarily discontinued from December 01, 2019 until April 01, 2020. Resolution was seconded by Mark Mattson, all in favor, resolution declared adopted.

NO.122-2019 10/16/19 Winter Road & Sidewalk Maintenance Public Notice

Mark Mattson made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester has hereby approved the Winter Road & Sidewalk Maintenance Public Notice to be posted.

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

PUBLIC NOTICE

- It is the Town of Colchester Highway Department's goal to keep Town Highways in a passable condition during the winter months. Any obstructions located in the Town's right-of-way may hinder the ability of snow removal and storage.
- In an attempt to clear roads, drivers try to be careful not to damage any obstruction in the right-of-way; however, that is not always possible. Therefore, any damage which may be done to mailboxes and fences while the Town Highway Department is trying to maintain the roads during the winter, will no longer be repaired or replaced by the Town, but will be the owner's expense.
- Vehicles parked on the Town right-of-way are also a hindrance when trying to clear roads of snow. Attempts will be made to contact the owners of such vehicles so they can be removed. However, if the Highway Dept. is unable to reach the owner, or if the vehicle is not removed, the Town will have the vehicle towed, at the owner's expense.
- It is also a violation to plow snow across or shovel snow back into Town Highways when residents clear out their own driveways and/or sidewalks. Be it noted that violators will be prosecuted.
- Reminder to all Town of Colchester Residents, the Town has a Sidewalk Ordinance which states: Snow and ice shall be removed from sidewalks within twelve hours after the snow has stopped falling and that the sidewalk shall be continuously maintained to be kept free of snow and ice.
- Local Law No. 2-1989 states no person, firm, corporation, association or other organization shall commence the construction, enlargement, alteration, improvement of an access road or driveway from private lands to a Town Highway located in the Town of Colchester, without having applied for or obtained a Highway Access Permit from the Town Code Enforcement Officer.

Supervisor Merrill reported that Bill Reichert has asked that we complete the NYSDOT Special Use Permit Application (Perm33C) on behalf of the Downsville Christmas Parade Committee to be held on Saturday, December 14th. A Public Facility Permit is also needed. Board discussed

NO.123-2019 10/16/19 Sponsor Christmas Parade & File Perm33c

Janet Champlin made the following resolution:

BE IT RESOLVED that the Town Board of the Town of Colchester hereby sponsors the Christmas Parade to be held at 4:30PM Saturday, December 14, 2019 on NY State Highway 30 and 206, Downsville, New York and hereby authorizes the Supervisor to file the NYSDOT Special Use Permit Application (Perm33c) on behalf of the Downsville Christmas Parade Committee.

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

NO.124-2019 10/16/19 Public Facility Permit No.11-2019

Mark Mattson made the following resolution:

WHEREAS, William Reichert on behalf of the Downsville Christmas Parade Committee has applied for a Public Facility Permit to use the Pepacton Park located at 15500 State Hwy 30,

on Saturday, December 14th from 4:30PM to 7:00PM for parking of Christmas Parade Floats after the parade has ended;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the Town Clerk to issue Public Facility Permit No.11-2019 to the Downsville Christmas Parade Committee for the use of the Pepacton Park located at 15500 State Hwy 30, Downsville, NY.

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

Supervisor reported that the Town Clerk would like to appoint Darlene Beers as Clerk; Deputy Town Clerk, Joyce Stefluk will be retiring at the end of the year and Darlene will become the Deputy in 2020. Board discussed.

NO.125-2019 10/16/19 Appoint Darlene N. Beers as Clerk

Greg Lavorgna made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby appoints Darlene N. Beers of 2 Morton Hill Road, Roscoe, New York as Clerk for the term of 10-17-2019 to 12-31-2019 at the hourly rate of \$14.80 per hour with no benefits, assignments and duties at the discretion of the Town Clerk.

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

Supervisor Merrill reported that he would like to have more names for the substitution list at the transfer station; we have received one new application and will seek for more. Board discussed.

NO.126-2019 10/16/19 Appoint Paul F. Clynes

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby appoints Paul F. Clynes of 1452 Horton Brook Road, Roscoe, New York as Sub. Transfer Station Supt. at an hourly rate of \$13.50 per hour with no benefits, assignments and duties at the discretion of the Transfer Station Supt. and/or Town Supervisor.

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

Supervisor Merrill made the following announcements:

- Next Regular Board Meeting Wed., Nov. 6th with Public Hearing at 7PM.

Councilman Lavorgna inquired to the status of the property sale and do we have any say in regard to the type of structure. Supervisor replied that the sale is moving forward slowly and since we have no zoning, we have no say.

Councilwoman Markert inquired to the status of the personnel issue we received last meeting. Supervisor replied that a meeting was held, and a lot has been resolved. Councilwoman Champlin added that this will take time and another meeting would not hurt.

Councilwoman Champlin commented that last Wednesday a Senior Meals was held at 5PM; we served 70 people; some came early, and some stayed late; we have some speakers attending.

Councilwoman Markert stated that in the interest of historical, could the Town donate funds to the Church Steeple Project. Supervisor replied that he would need to talk with the Town Attorney.

SUBMISSION OF BILL/EXPENSES: Janet Champlin made the motion, seconded by Greg Lavorgna, that the vouchers be approved, subject to any corrections or deletions, all in favor, motion carried. Abstract No.19-2019 Voucher No.580-614; Totaling \$85,931.99.

With no further business, Mark Mattson made the motion for adjournment, seconded by Greg Lavorgna, all in favor, motion carried. Meeting adjourned at 8:02 PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk