

December 18, 2019

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, December 18, 2019 at 7:00 PM at the Town Hall.

Present:	Arthur M. Merrill	Supervisor
	Mark W. Mattson	Councilman
	Julie A. Markert	Councilwoman entered at 7:06PM
	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, Alan Donner, Louie Banker, Gene & Ruth Wilhowsky, Ron MacDonald and Harry Triebe.

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, December 04, 2019 had been distributed earlier. Janet Champlin made the motion to accept the minutes as written, seconded by Mark Mattson, Mark Mattson-aye, Janet Champlin-aye, Greg Lavorgna-aye, Arthur Merrill-aye, Julie Markert-absent, motion carried.

VISITOR COMMENTS: Louie Banker presented each Board Member a sample resolution regarding a 2nd Amendment/Lawful Gun Owner Sanctuary Township; he would like the Board to consider this. It was commented that Delaware County is already a Sanctuary County. Supervisor commented that we will have the Town Attorney research this further.

Councilwoman Markert entered meeting at 7:06PM.

Harry Triebe asked what power does the Town have; does the Town supersede other governments? Town Attorney replied that the Federal Government is the highest power; if another level of government makes regulations it could be challenged; sometimes it is difficult to enforce statues.

Ruth Wilhowsky commented that there is a new exit ramp off Money Point Road; the road was widen but no guide rails were installed; a delivery truck almost went off the road and she submitted pictures. Supervisor commented that it was a bad choice to make a delivery on that snowy/icy day; there had been a forecast of bad weather coming. Gene Wilhowsky commented that whoever cut down the trees and stumps were gone, made it that there was nothing to stop him. Ruth Wilhowsky stated a statue and the Town Attorney replied that it was for a Village and we are a Town. The Town Attorney stated that there is no statue that makes the Town do repairs of any kind; the Town can review dangerous situations and make their determinations. Town Attorney cautioned anyone to make statements to force the Town to do corrections.

Alan Donner commented that there are many roads within Delaware County that do not have guiderails.

CORRESPONDENCE:

- Terry R. Townsend- Notice of Retirement from the Town of Colchester Highway Dept.; after 30+ years he has decided to retire with his last day of work being Dec. 24th and retirement date of March 27, 2020.

NO.140-2019 12/18/19 Retirement Letter from Terry R. Townsend

Greg Lavorgna made the following resolution:

WHEREAS, on December 18, 2019 a Letter of Retirement was presented to Supervisor Arthur M. Merrill from Terry R. Townsend from the Town of Colchester Highway Dept.;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby accepts said Letter of Retirement of Terry R. Townsend effective March 27, 2020;

FURTHER RESOLVED that the Town Board hereby thanks Terry for his 30 Years of Service to the Township and wishes him well in his retirement.

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

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

- Cooks Falls Water District- November 2019- 4 customers balance due \$200; Receipts of \$550.01 disbursed to Supervisor. 14 Customers re-levy to the 2019 County Tax Bills in the amount of \$3,180.00.
- Downsville Water District- November 2019- 15 customers balance due \$932.80; Receipts of \$2,980.07 disbursed to Supervisor. 21 Customers re-levy to the 2020 County Tax Bills in the amount of \$6,817.20
- Town Clerk- November 2019- Total disbursed \$1,365.60 of which \$1,320.80 was Town revenues.
- Police- November 2019 Activity Report.

SUBMISSION OF BILL/EXPENSES: Julie Markert 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.23-2019 Voucher No.718-764; Totaling \$92,167.58.

Supervisor Merrill reported the DWD Filtration of the Spring System- Downsville Water System Improvement Project DWSRF #17537: Contract #TC1-G-2019 is moving slowly.

Supervisor reported that Paul G. Ryder III Construction has a voucher in tonight for the Cooks Falls Garage Project; siding is still needed to complete the project.

Supervisor Merrill reported that we need to do a budget amendment for the Tiffany Hollow-Gregory Hollow Culvert Replacement Project; we have requested and received all of the grant funds for this project; there will be a few more bills to complete the project that we will be responsible for. Board discussed.

NO.141-2019 12/18/19 Budget Amendment for Tiffany Hollow Project

Mark Mattson made the following resolution:

WHEREAS, the Town of Colchester has made the following five requisitions to the Department of the Interior:

#01-dated 3/1/2019	in the amount of	\$3,107.00
#02-dated 3/11/2019	in the amount of	\$6,376.54
#03-dated 6/10/2019	in the amount of	\$10,116.00
#04-dated 9/6/2019	in the amount of	\$49,247.50
#05-dated 12/12/2019	in the amount of	\$25,092.96

for a grand total amount of \$93,940.00 for the Tiffany Hollow NFPP Grant- Gregory Hollow Road Stream Crossing Project; and

WHEREAS, the Town of Colchester has received said Department of the Interior funds in the amount of \$93,940.00 as follows:

#01-received on 3/4/2019	in the amount of	\$3,107.00
#02- received on 3/19/2019	in the amount of	\$6,376.54
#03- received on 6/14/2019	in the amount of	\$10,116.00
#04- received on 9/9/2019	in the amount of	\$49,247.50
#05- received on 12/13/2019	in the amount of	\$25,092.96

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 Hwy Revenue NYS Grant Fund #3060.1 by \$93,940.00 and increasing the Hwy Appropriations Tiffany/Gregory Hollow Culvert Fund #87855.3 by \$93,940.00.
Resolution was seconded by Julie Markert, all in favor, resolution declared adopted.

Town Attorney Michael DeGroat reported he has drafted an intermunicipal contract using Delaware Engineering's estimates for NYCDEP to hook-up to the Downsville Water District; it has been forward to Mike Vanderworth, who is reviewing and making changes; should have signed contract by spring. Supervisor added that they are having their engineer review Delaware Engineering's plans and estimate; NYCDEP will pay for everything.

Supervisor Merrill reported that we have received notice that we will be receiving a \$1,300 Complete Street Grant.

Supervisor reported that the Town has been named as Lead Agency for the Getaway Campground Project; a Public Hearing has been scheduled for January 15th at 7PM.

Supervisor Merrill reported that we received the CHIPS check today and need to do a budget amendment as we received more funds than was budgeted. Board discussed.

NO.142-2019 12/18/19 Budget Amendment for CHIPS

Janet Champlin made the following resolution:

WHEREAS, the Town of Colchester had budgeted \$235,000 for CHIPS/State Aid; and

WHEREAS, the State of New York Dept. of Transportation has given the Town of Colchester CHIPS funding in the amount of \$355,182.01;

NOW, THEREFORE, BE IT RESOLVED that Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to amend the 2019 Budget by increasing Hwy Revenue 3501.3 State Aid/CHIPS by \$120,182.01 (receipt of additional CHIPS) which will increase Hwy Appropriation 5112.2 Permanent Improvement EQ by \$120,182.01 to a total of \$355,182.01.

Resolution was seconded by Julie Markert, all in favor, resolution declared adopted.

Supervisor reported that we have several people retiring this year; he made the recommendation to recognize their years of service by Board Resolution for each of these retirees.

NO.143-2019 12/18/19 Linda Mills Years of Service

Janet Champlin made the following resolution:

WHEREAS, Linda Mills has served the Town of Colchester from 2006 to 2019 as Town Assessor;

NOW, THEREFORE, BE IT RESOLVED that we, the Town Board, the Town Hall Staff, and the Citizens of the Town of Colchester would like to thank Linda for her fourteen years of service and dedication to the Town of Colchester.

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

NO.144-2019 12/18/19 Betty N. Watson Years of Service

Julie Markert made the following resolution:

WHEREAS, Betty N. Watson has served the Town of Colchester from 1991 to 2011 as Planning Board Clerk; and

WHEREAS, Betty N. Watson has served the Town of Colchester from 2000 to 2019 as Town Assessor;

NOW, THEREFORE, BE IT RESOLVED that we, the Town Board, the Town Hall Staff, and the Citizens of the Town of Colchester would like to thank Betty for her twenty-nine years of service and dedication to the Town of Colchester.

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

NO.145-2019 12/18/19 Gerald P. Merrill Years of Service

Greg Lavorgna made the following resolution:

WHEREAS, Gerald P. Merrill has served the Town of Colchester from 1990 to 1997 as Town Board Member; and

WHEREAS, Gerald P. Merrill has served the Town of Colchester from 1998 to 2019 as Town Assessor; and

WHEREAS, Gerald P. Merrill has served the Town of Colchester from 2002 to 2019 as Assessor Chairman;

NOW, THEREFORE, BE IT RESOLVED that we, the Town Board, the Town Hall Staff, and the Citizens of the Town of Colchester would like to thank Jerry for his thirty years of service and dedication to the Town of Colchester.

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

NO.146-2019 12/18/19 John Bogart Years of Service

Julie Markert made the following resolution:

WHEREAS, John Bogart has served the Town of Colchester from 1984 to 2019 as Transfer Station Operator;

NOW, THEREFORE, BE IT RESOLVED that we, the Town Board, the Town Hall Staff, and the Citizens of the Town of Colchester would like to thank John for his thirty-five years of service and dedication to the Town of Colchester.

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

Supervisor Merrill made the following announcements:

- Town Hall Offices Closed Wednesday, December 25th Christmas Holiday.
- Town Clerk's Office closing at Noon Tuesday, Dec. 24th and Dec. 31st.
- Town Hall Offices Closed Wednesday, January 1st New Year's Day.
- Organizational Meeting Thursday, January 2, 2020 at 7PM followed by Regular Meeting.

Supervisor asked the Board for suggestions of whom to appoint as Cemetery Supervisor. Board discussed. Hwy Supt reported that Nathan Homovich and Ian Osonitsch will be the two highway workers that will go to the cemetery in the spring. Nathan Homovich will be appointed as Cemetery Supervisor at the Organizational Meeting.

Councilwoman Markert inquired about the digging on the Eagle Hotel Property. Supervisor replied that REMLAP Properties, LLC is doing soil tests; they need to check the soil for structural conditions before pouring the slab foundation; they have committed to purchase the property. Board discussed further.

Councilwoman Markert asked what the Town's minimum work was involved with the HRA Insurance? Supervisor replied that recently there have been some issues with payments; Bookkeeper has spoken with Insurance Reps and issues have been turned over to them.

Councilwoman Markert inquired if the Cooks Falls Garage Project was staying with budget? Supervisor replied yes and he is doing a good job.

Councilman Lavorgna inquired about the Dodge Truck bill? Hwy Supt replied that a valve failed; we need estimate before repairing; we will be getting rid of two trucks and the new truck should be here next Monday.

With no further business, Julie Markert made the motion for adjournment, seconded by Mark Mattson, all in favor, motion carried. Meeting adjourned at 7:45 PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk