

August 19, 2020

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, August 19, 2020 at 7:19 PM at the Town Hall.

Present: Arthur M. Merrill Supervisor
Julie A. Markert Councilwoman
Janet L. Champlin Councilwoman
Absent: Mark W. Mattson Councilman
Absent Gregory L. Lavorgna Councilman
Recording Secretary: Julie B. Townsend Town Clerk

Others present: Kenneth R. Eck, Jr.-Highway Supt., Michael DeGroat-Town Attorney, Alan Donner, Jim Shields and Officer Cawley. ZOOM attendees: Lillian Browne-The Reporter, Bonnie Seegmiller and Rob Hafele.

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 05, 2020 had been distributed earlier. Janet Champlin made the motion to accept the minutes as written, seconded by Julie Markert, Janet Champlin-aye, Julie Markert-aye, Arthur Merrill-aye, Mark Mattson-absent, Greg Lavorgna-absent, motion carried.

VISITOR COMMENTS: Jim Shields inquired to the status of a crossing lane at the Post Office. Supervisor replied that the previous Postmaster was in agreement, but it would take up three parking spaces for site view and we did not want to take away any more parking spaces across from the Post Office; today a postal worker helped an elderly resident cross the street and cars stopped both ways; that is not always the case. Mr. Shields asked if a digital speed sign would help. Supervisor replied that one of these signs costs around \$7,000-8,000. Officer Cawley added that it would also take up parking spaces.

Bonnie Seegmiller reminded the Supervisor that the Sexual Harassment Prevention Training is required every year. Supervisor will look into this.

CORRESPONDENCE:

- Association of Towns- Virtual Training starting August 27th register at www.nytowns.org.
- NYS Governor's Traffic Safety Committee- Colchester Town Police Dept. has been awarded a total of \$3,360 to participate in the statewide Police Traffic Services Program: \$1,680 for Seat Belt Mobilization Enforcement and \$1,680 for Regular PTS Enforcement.
- Mirabito Energy Products- Proposal for propane tanks at Tub Mill for the DWD filtration building; two 100gallon ASME Propane Tanks and all gas lines, a quote of \$3,100. Supervisor commented that he will contact Engineer Jeff Francisco for approval; we would then own the tanks and could use any vendor to fill.

REPORTS- written reports on file at Town Clerk's Office: none.

Supervisor Merrill reported that the electrical inspection has been done for the Downsville Water System Improvement Project; just needs to be hooked up. We have a few resolutions that need to be adopted for this project; we received Requisition Number 2 and need a budget amendment, RW Wakeman has submitted Payment No.1 and then we need to request Requisition Number 3 to pay RW Wakeman. Board discussed.

NO. 60-2020 08/19/20 Budget Amendment for DWD

Janet Champlin made the following resolution:

WHEREAS, the Downsville Water District has made Requisition Number 2 to the New York State Environmental Facilities Corporation in the amount of \$6,562.22 for the DWD DWSRF #17537 Project; and

WHEREAS, the Town of Colchester has received said NYSEFC funds in the amount of \$6,562.22;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to amend the 2017 Budget by increasing the DWD Revenue State Aid/Water Capital Project Fund #3991.08 by \$6,562.22 and increasing the DWD Appropriations Rehabilitation Grant Fund #8668.4.08 by \$6,562.22.

Resolution was seconded by Julie Markert.

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	absent
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.61-2020 08/19/20 Payment No.1 to Richard W. Wakeman, Inc.

Upon recommendation from Delaware Engineering, P.C., Julie Markert made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby approves Contractor's Application for Payment No.1 to Richard W. Wakeman, Inc. for Contract No. TC1-G-2017, Downsville Water System Improvement Project and hereby authorizes Supervisor Arthur M. Merrill to pay this request in the amount of \$248,444.00.

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	absent
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. 62-2020 08/19/20 DWSRF 17537 Requisition No.3

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 Town may now request disbursements for project costs; and

WHEREAS, such funds will be automatically deposited in the project account,

THEREFORE BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes the Town Supervisor to sign and submit such paperwork as is necessary to receive said funds in the amount of \$248,444.00 for Requisition No.3.

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	absent
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.

Town Attorney Michael DeGroat reported that we need to extend the maturity date of the EFC Drinking Water Facility Note-2019 for the DWSRF Project No.17537; the short-term note comes due Sept. 28th and we will extend the note for six months to make sure the project is completed; then it will go into a 40year bond. Board discussed.

NO. 63-2020 08/19/20 Amended and Restated EFC Drinking Water Facility Note-2019 for DWSRF Project No. 17537

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Town Supervisor Arthur M. Merrill to sign the Amended and Restated EFC Drinking Water Facility Note-2019 for the DWSRF Project No.17537 to amend the short-term loan of \$271,390.00 by extending the maturity date to March 28, 2021.

Resolution was seconded by Julie Markert.

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	absent
Councilperson, Julie A. Markert	voting aye
Councilperson, Mark W. Mattson	absent

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

Supervisor reported that we will receive the final bill for the Cooks Falls Court/Highway Building Project in September.

Supervisor Merrill reported that the Tiffany Hollow/Gregory Hollow Culvert Project is completed; we need to do a change order in the amount of \$5,000; Engineering firm had made errors and adjustments needed to be made. Board discussed.

NO. 64-2020 08/19/20 Change Order No.1 Gregory Hollow Road Stream Crossing Project
Julie Markert made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby approves Change Order No.1 of the Gregory Hollow Road Stream Crossing Project (Tiffany Hollow Culvert) for the cost of \$5,000.00 to Doig Excavating Inc.

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

Supervisor reported that he has signed several letters to Tribal Nations regarding the NYS CDBG Housing Rehabilitation Program Project; we have received notice that the Oneida Indian Nation

does not feel that the scope of work for these projects has the potential to effect historic properties significant to the Nation; project is to close January 2021; we are hoping for an extension due to Covid-19 projects are not complete. Town Clerk reported that a conference call is scheduled for Tues., August 25th with Delaware Opportunities, NYS Home & Community Renewal and the Town.

Supervisor Merrill reported on the Downsville Park Paddle Trail Development Project: the Boat Launch Permit needed additional information and was re-submitted; project moving forward; hope to get the Pedestrian Bridge Crossing in this year.

Supervisor reported that, on July 15, 2020, the Town Board adopted Resolution No.55-2020 titled Resolution to Sell Real Property Subject to Permissive Referendum; and since the required time period has elapsed without comment; we would like to proceed to sell the former Eagle Hotel lot, tax map number 358.2-5-30, located at 15276 State Hwy 30, Downsville to Remlap Properties LLC, or its assignee, for the sum of \$100,000.00. Board discussed.

NO. 65-2020 08/19/20 Proceed with Property Sale

Julie Markert made the following resolution:

WHEREAS, the Town Board of the Town of Colchester has determined that a vacant parcel of land, owned by the Town, situate on Main Street of the Hamlet of Downsville, known as the former Eagle Hotel lot, tax map number 358.2-5-30, located at 15276 State Hwy 30, is no longer necessary for Town purposes; and

WHEREAS, any sale of town property requires a Permissive Referendum; and

WHEREAS, on July 15, 2020, the Town Board of the Town of Colchester had adopted Resolution No.55-2020 titled Resolution to Sell Real Property Subject to Permissive Referendum; and

WHEREAS, said resolution was posted on July 16th on Town Hall's Bulletin Board and posted in our legal newspaper, The Reporter on July 22nd; and

WHEREAS, the required time period has elapsed without comment;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the Town Supervisor to proceed to sell said parcel of property to Remlap Properties LLC, or its assignee, for the sum of One Hundred Thousand Dollars (\$100,000.00).

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	absent
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.

Supervisor Merrill made the following announcements:

- Next Regular Board Meeting Wed., September 2nd at 7PM Live and ZOOM.

Councilwoman Champlin announced that there will be a Music in the Park Event tomorrow night, August 20th from 5pm to 8pm at the Covered Bridge Park; there will be hot dogs, hamburgers and ice cream will be for sale to benefit the Back Pack Program.

Councilwoman Champlin inquired to the status of the Senior Citizen funds for bus trips; trips were canceled due to Covid-19. Supervisor replied that they requested the \$2,000 for trips and we gave them the funds; he will contact the Senior Citizens' President.

Supervisor Merrill reported that the last day for the Town Swimming Pool is Fri., August 28th.

Councilwoman Champlin commented that there will be a Drive-thru Dairy Distribution on Monday, September 14th from 10am to 1pm at the Downsville Firemen's Field.

SUBMISSION OF BILL/EXPENSES: Julie Markert made the motion, seconded by Janet Champlin, that the vouchers be approved, subject to any corrections or deletions, Janet Champlin-aye, Julie Markert-aye, Arthur Merrill-aye, Mark Mattson-absent, Greg Lavorgna-absent, motion carried. Abstract No. 16-2020 Voucher No.419-450; Totaling \$341,094.61.

With no further business, Janet Champlin made the motion for adjournment, seconded by Julie Markert, Janet Champlin-aye, Julie Markert-aye, Arthur Merrill-aye, Mark Mattson-absent, Greg Lavorgna-absent, motion carried. Meeting adjourned at 7:48 PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk