

January 20, 2021

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, January 20, 2021 at 7:00 PM at the Town Hall.

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

Others present: Kenneth R. Eck, Jr.-Highway Supt., Nicholas S. Cortese-Town Attorney, Camille O'Brien-Office of Senator Mike Martucci, Tom & Dayette Zampolin, Rob Hafele, Alan Donner and Officer Cawley. ZOOM attendees: Lillian Browne-The Reporter, Bonnie Seegmiller and Ron MacDonald.

The Meeting was called to order by Supervisor Arthur M. Merrill and led the group in the Pledge of Allegiance.

The minutes of the Organizational Meeting, January 06, 2021 had been distributed earlier. Janet Champlin made the motion to accept the minutes as written, seconded by Julie Markert, all in favor, motion carried. The minutes of the Regular Meeting, January 06, 2021 had been distributed earlier. Greg Lavorgna made the motion to accept the minutes as written, seconded by Julie Markert, all in favor, motion carried.

Supervisor Merrill introduced Nicholas S. Cortese of Coughlin & Gerhart, LLP, our Town Attorney and Camille O'Brien from the Office of Senator Mike Martucci. Ms. O'Brien stated that the Senator's office was left with no constituent data and she will be covering our meetings for the Senator as a Zoom attendee. She can be contacted at obrienc@nysenate.gov.

VISITOR COMMENTS: none.

CORRESPONDENCE:

- Tony Bonavist (phone call)- As an area fly fisherman/angler he encourages everyone to review and comment on NYSDEC's new fishing regulations; it can be located on their website; some changes are fishing 365 days a year, but only one fish any size per day; no more stocking the East Branch of the Delaware River; we have people who rely on fishing for their food.
- Thomas Zampolin- letter of resignation as full-time Code Enforcement Officer as of Dec. 31, 2021; after 15 years it is time to enjoy life and spend time enjoying leisure activity; would consider staying on as Deputy CEO and Floodplain Manager. Board discussed. Board will post position notice, once more info on training is available. Greg Lavorgna made the motion to accept the Letter of Resignation from Thomas Zampolin as Code Enforcement Officer effective 12/31/2021 with regret and appreciation of a job well done, seconded by Mark Mattson, all in favor, motion carried.

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

- Cooks Falls Water District- December 2020- 4 customers balance due \$200; No Receipts were disbursed to Supervisor. Annual Report for 2020.
- Downsville Water District- December 2020- 4 customers balance due \$270; Receipts of \$150 disbursed to Supervisor. Annual Report for 2020. Partial Payment of \$9,869.54 was disbursed to Supervisor through January 20, 2021.
- Town Clerk- December 2020- Total disbursed \$1,978 of which \$1,952 was Town revenues.
- Town Justice DeRosia- December 2020.

Supervisor Merrill reported on the Downsville Water District Improvement Project: radios are hooked up; should have things wrapped up in a couple of weeks; water has improved; we also that we need to make a request for funds in the amount of \$7,191.25 this is to reimburse us for three Delaware Engineering vouchers. Board discussed.

NO. 13-2021 01/20/21 DWSRF 17537 Requisition No. 6

Janet Champlin 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 \$7,191.25 for Requisition No.6.

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, Julie A. Markert	voting aye
Councilperson, Mark W. Mattson	voting aye
Councilperson, Gregory L. Lavorgna	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 he gave Michael VanderWerff of NYCDEP our new Town Attorney's info; NYCDEP local office would like to get started hooking up to the DWD System soon.

Supervisor Merrill reported that NYSDEC would like more information on the Downsville Park Paddle Project, before issuing permit; we will also need to get new pricing on building materials.

Supervisor reported that Milton Cat has accepted the quoted price of \$157,249.00 for the Caterpillar 930M Wheel Loader; the bill is in tonight for payment.

Supervisor Merrill reported that we need to get going on the Police Reform and Reinvention Plan; we have a list for the committee but may add more names to the list. Board discussed.

NO. 14-2021 01/20/21 Police Reform and Reinvention Collaborative Committee

Mark Mattson made the following resolution:

WHEREAS, maintaining public safety is imperative and to achieve this goal, there must be mutual trust and respect between police and the community they serve; and

WHEREAS, New York State Governor Andrew M. Cuomo has signed an Executive Order requiring each local government in the State to adopt a policing reform plan by April 01, 2021; and

WHEREAS, the Order authorizes the Director of the Division of the Budget to condition State aid to localities on the adoption of such a plan; and

WHEREAS, to rebuild the police-community relationship, policies must be developed to allow the police to do their jobs to protect the public and meet the local communities' acceptance;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby appoints the following people to the Town of Colchester Police Reform and Reinvention Collaborative Committee: Supervisor Arthur Merrill as Chair, Officer Ernest Cawley, Sabra Wright, Alan Donner, Janet Champlin and Dayette Zampolin.

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

Supervisor reported that Code Enforcement Officer Zampolin has stated that the International Building Codes that we are now using needs to be changed to the New York State Codes; CEO, Town Clerk and Town Attorney have been working together to propose a new local law; we need to schedule a public hearing for this local law. Board discussed.

NO. 15-2021 01/20/21 A Resolution Introducing A Proposed Local Law

Greg Lavorgna made the following resolution:

WHEREAS, a local law entitled "A LOCAL LAW REPEALING AND REPLACING LOCAL LAW NO. 3 OF THE YEAR 2016 PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE AND THE STATE ENERGY CONSERVATION CONSTRUCTION CODE" was introduced at this meeting; and

WHEREAS, the Town Board desires to hold a public hearing with respect to the adoption of said Local Law.

NOW, THEREFORE, BE IT RESOLVED that a public hearing will be held by the Town Board of the Town of Colchester on Wednesday, February 03, 2021 at 7:00 PM at the Town Hall, 72 Tannery Road, Downsville, New York; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

FURTHER, BE IT RESOLVED, that the regular monthly meeting of the Town Board will be held immediately following the Public Hearing.

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

Supervisor Merrill reported that Justice DeRosia has commented that the lights for the Cooks Falls Court Room need addressing. Board discussed and agreed to get an estimate on installing LED lights for the CF Court Room. Board asked Alan Donner if he could look into this for us. Justice DeRosia has also commented that Cyndie Chinnici will be leaving as Justice Clerk for the Cooks Falls Court; he would like to appoint Cindy Conrow for this position. Board discussed.

NO. 16-2021 01/20/21 Appoint Cindy Conrow as Justice Clerk

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby appoints Cindy Conrow of 495 Cooks Falls Road, Roscoe, New York as a Part-time Justice Clerk for the Town of Colchester Cooks Falls Court, at the pay rate of \$15.80 per hour with no benefits.

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

Supervisor Merrill made the following announcements:

- DWD Bond Public Hearing & Special Meeting is Wed., Jan 27th at 7PM–Live & ZOOM.
- Next Regular Meeting is Wed., Feb. 3rd - Live & ZOOM with Public Hearing at 7PM.

Supervisor reported that the Town Board has completed the 2020 Audits for the Cooks Falls Water District, Downsville Water District, Town Clerk and Town Justice Edel; Town Justice DeRosia 2020 Audit is schedule for Friday. ***Town Clerk has verified that TJ DeRosia 2020 Audit was completed on 01-22-2021.***

Supervisor Merrill commented that anyone seeking COVID Vaccines should call and get on the waiting list; vaccine sites have been established at Delaware Valley Hospital, Margaretville Hospital, Tri-Town and Fox Care.

Town Attorney Nicholas Cortese asked the Board how they would like to utilize his services. Supervisor suggested as needed and Board agreed. Nick Cortese stated that he will ZOOM all Town Board meetings and be available to come when requested.

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. 02-2021 Voucher No.37-75; Totaling \$205,796.42.

With no further business, Greg Lavorgna made the motion for adjournment, seconded by Julie Markert, all in favor, motion carried. Meeting adjourned at 7:54 PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk