

March 03, 2021

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, March 03, 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

ZOOM Attendee: Gregory L. Lavorgna Councilman

Recording Secretary: Julie B. Townsend Town Clerk

Others present: Kenneth R. Eck, Jr.-Highway Supt, Alan Donner and Officer Cawley. ZOOM attendees: Jeff Francisco-Delaware Engineering, Camille O'Brien-Office of Senator Mike Martucci, Ron MacDonald, Bonnie Seegmiller, Steven Mattson and Jeremy Jenkusky.

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, February 17, 2021 had been distributed earlier. Janet Champlin made the motion to accept the minutes as written, seconded by Mark Mattson, all in favor, motion carried.

GUESTS: Camille O'Brien-Office of Senator Mike Martucci commented that they are making sure those who need the COVID-19 are getting the right information and the Senator is opening an office in Liberty, NY; Ms. O'Brien will be there one day a week.

Jeff Francisco of Delaware Engineering reported that the DWD Filtration Plant Project is complete; final bills have been submitted.

VISITOR COMMENTS: none.

CORRESPONDENCE:

- Morgan Seamans- Letter of Resignation as a Colchester Police Officer effective 03/07/2021. Janet Champlin made the motion to accept the Letter of Resignation from Morgan Seamans as Colchester Police Officer effective 03/07/2021 with regret, second by Julie Markert, all in favor, motion carried.
- Catskill Watershed Corp.- No designated hamlets (in Colchester) within the West of Hudson Watershed.
- NYS Homeland Security and Emergency Services- Received two direct deposits (in wrong account- Supervisor's General Acct) totaling \$59,696.01; these are the State Share related to the Severe Storms and Flooding declared on November 01, 2018; we have released another direct deposit with no information.
- Beattie Padovano LLC representing Round-Up Ranch, LLC (Donald Nuckel, principal)- Questioning water rights on their property. Town Attorney and Town Clerk are working on obtaining documents and response.
- Margaretville Telephone Company- Effective April 01, 2021, MTC Cable will be increasing and/or adjusting the monthly subscription rates for broadband and video services.
- Law Office of M. Randolph Belkin- Doig vs. Town; Virtual Deposition March 11, 2021.
- Accident Report and Claim Adjustment- Police Vehicle vs Deer; \$200.00 deductible; VerNooy's Automotive has estimated cost of repairs is \$9,131.14.

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

- Cooks Falls Water District- February 2021- 17 customers balance due \$850; Receipts of \$515.00 disbursed to Supervisor.

- Downsville Water District- February 2021- 30 customers balance due \$2,518.20; Receipts of \$3,684.02 disbursed to Supervisor.
- Town Clerk- February 2021- Total disbursed \$786.00 of which \$747.50 was Town revenues.
- Police- February 2021 Activity Report.
- Town Justice Edel- February 2021.

Supervisor Merrill reported that things are all wrapped up for the Downsville Water District-Filtration of the Spring System Improvement Project DWSRF #17537; final two bills for Contract #TC1-G-2019 Richard W. Wakeman Inc. are in tonight for approval; since we cannot draw reimbursement funds until after March 23rd and DWD does not have sufficient funds to pay these final bills, we would like authorization to transfer funds from the Supervisor's General Fund to the Downsville Water District Fund in the amount of \$32,000.00; once we receive the reimbursement we will pay back the transfer. Board discussed.

NO. 24-2021 03/03/21 Inter-Fund Transfer to DWD

Julie Markert made the following resolution:

WHEREAS, the Downsville Water District has insufficient funds for the Downsville Water District Improvement Project, D0-17537 to pay the final invoices to Richard W. Wakeman, Inc, Delaware Engineering and Rodenhause Chale & Polidoro LLP.; and

WHEREAS, funding from NYSEFC will not be available until we close the Long-Term Financing, around March 23, 2021 or after;

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to make an Inter Fund Transfer from the Supervisor's General Fund to the Downsville Water District Fund in the amount of \$32,000.00.

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 by ZOOM

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

NO. 25-2021 03/03/21 Payments No.4 & No.5 to Richard W. Wakeman, Inc.

Upon recommendation from Delaware Engineering, P.C., Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby approves Contractor's Application for Payment No.4 in the amount of \$7,882.15 and Payment No.5-Final in the amount of \$20,240.05 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 these requests in the total amount of \$28,122.20.

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	voting aye
Councilperson, Gregory L. Lavorgna	voting aye by ZOOM

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

NO. 26-2021 03/03/21 DWSRF 17537 Requisition No.7

Mark Mattson 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 \$32,134.46 for Requisition No.7.

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	voting aye
Councilperson, Gregory L. Lavorgna	voting aye by ZOOM

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

Supervisor reported that there was nothing new on the following items:

NYCDEP Downsville Water District Contract- Contract to Bid-DEP Contract.

NYS CDBG Project #260HR301-18 \$500,000 Housing Rehabilitation Program Project.

Speed Zone River Road

Speed Zone Fuller Hill Road/Horton Brook Road

Supervisor Merrill reported that he met with Blanding Electric today regarding the Downsville Park Paddle Project; they will be giving us an estimate for the electrical portion of this project.

Supervisor reported that the Police Reform and Reinvention Collaborative Committee held another meeting last night and one is scheduled for next week also; they need to hold a Public Hearing in regards to the plan they are drafting. Board discussed.

NO. 27-2021 03/03/21 Notice of Public Hearing

Janet Champlin made the following resolution:

BE IT RESOLVED, that a public hearing will be held by the Town Board of the Town of Colchester on Tuesday, March 23, 2021 at 6:00 PM in the Town Hall, 72 Tannery Road, Downsville, New York regarding the adoption of a Police Reform and Reinvention Collaborative Plan; and

BE IT RESOLVED, that copies of said proposed Plan are available for review during normal business hours at the Office of the Town Clerk located at 72 Tannery Road in Downsville, New York;

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

Supervisor Merrill commented that the County Board of Supervisors have discussed and proposed a resolution in regards to Small Business Owners and the pandemic. Supervisor suggested that we adopt a similar resolution, which he read aloud. Board discussed and agreed.

NO. 28-2021 03/03/21 Appreciation to Small Business Owners

Greg Lavorgna offered the following resolution:

WHEREAS, small business owners in the Town of Colchester play a vital role in stimulating economic growth and creating jobs; and

WHEREAS, these small business owners actively contribute to our community through donations of time, money and products; and

WHEREAS, small business owners pay local property taxes and collect sales taxes that bolster county revenue available for roads and other services; and

WHEREAS, small business owners create a unique community identity which attracts new residents and encourages increased private investment; and

WHEREAS, in 2020 and still today, many small business owners have weathered an unprecedented economic storm due to huge revenue declines and government mandates; and

WHEREAS, our small business owners continue to innovate, adapt, and pivot to survive, grow, and serve customers.

NOW, BE IT RESOLVED that the Town Board of the Town of Colchester pauses in its deliberations to offer a simple “THANK YOU” to our local small business owners; and

BE IT FURTHER RESOLVED that this Board appreciates the vision, the hard work, and resilience of small business owners in this community and throughout Delaware County. Resolution was seconded by Mark Mattson, all in favor, resolution declared adopted.

Highway Supt Kenneth Eck reported that last July we entered into an Engineering Services Contract with Keystone Associates for a Geo Tech Study on Horse Brook Road and Fuller Brook Road; they have suggested a list of additional services to address the sinkhole on Horse Brook Rd.; they suggest a Topographic Survey for an estimated fee of \$2,600. Board discussed.

NO. 29-2021 03/03/21 Engineering Services Contract with Keystone Associates
Janet Champlin made the following resolution:

WHEREAS, the Town of Colchester will require professional engineering services for a Topographic Survey on Horse Brook Road for the Sinkhole Remediation Project;

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Highway Supt Kenneth Eck to execute an Engineering Agreement for the mentioned projects and to enter into Contract with Keystone Associates in accordance with the scope of services and not to exceed \$2,600 in total cost.

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

Councilwoman Markert inquired about the invoice for testing a resident’s water. Supervisor replied that everything came out find, there was no problem with DWD water sample.

Councilwoman Markert also inquired about the DWD Meter Project. Supervisor replied that once we receive the funds, we will order the meters; we are still researching meter prices for a better deal; because this is loan money not grant funds, we can do in-house.

Councilwoman Markert inquired about the water repair at Dukes? Supervisor replied that it was repaired on Monday.

Supervisor Merrill commented that we may not have a quorum for the March 17th Town Board Meeting; the Police Reform and Reinvention Collaborative Committee is holding a Public Hearing on March 23rd, the Town Board must adopt the Police Reform and Reinvention Collaborative Plan by April 1st, therefore he suggests to reschedule the March 17th to March 31st. Board discussed.

NO. 30-2021 03/03/21 Reschedule Board Meeting of March 17th
Mark Mattson made the following resolution:

WHEREAS, a quorum will not be met for the Town of Colchester 2nd Town Board Meeting to be held on March 17, 2021;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester reschedules their March 17, 2021 Town Board Meeting to Wednesday, March 31, 2021 at 7:00pm and hereby authorizes the Town Clerk to post such notice.

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

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. 05-2021 Voucher No.137-161; Totaling \$50,366.63.

Councilwoman Champlin praised the Highway Dept for a job well done this winter season.

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

Respectfully Submitted:

Julie B. Townsend, Town Clerk