

August 04, 2021

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, August 04, 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., Rich Hascha-Deputy CEO and Alan Donner.  
ZOOM attendees: Randy Shephard-The Reporter, Bonnie Seegmiller, Ron MacDonald, Gavin Champlin and Tom & Dayette Zampolin.

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, July 21, 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.

VISITOR COMMENTS: Rich Hascha, Deputy CEO reported that he was appointed Deputy CEO as of August 1<sup>st</sup>; he starts his training this Friday and hopes to complete all courses by the end of October; 7hour days of training with 4hours for testing; regulations give him 18months to complete and be certified; books are expensive; will start going out with CEO Zampolin when time allows. Alan Donner asked if Hwy Dept will continue ditching on Fuller Hill Road. Hwy Supt Eck replied yes, both sides of road.

#### CORRESPONDENCE:

- NYS Ag & Markets- Municipal Shelter Inspection Report on 7/13/2021: Heart of the Catskills Humane Society rated Satisfactory.
- Del Co Dept of Social Services- would like to partner with our community to recruit foster parents; a ZOOM presentation on Sept. 8<sup>th</sup> for an open discussion about fostering.

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

- Cooks Falls Water District- July 2021- 29 customers balance due \$2,945; Receipts of \$2,755.02 disbursed to Supervisor.
- Downsville Water District- July 2021- 57 customers balance due \$8,894.31; Receipts of \$14,699.10 disbursed to Supervisor.
- Town Clerk- July 2021- Total disbursed \$2,526.01 of which \$2,480.01 was Town revenues.
- Police- July 2021 Activity Report.
- Town Justice Edel- July 2021.
- Historian- Colchester History Connections Newsletter Summer 2021, Volume 11, Issue 2.

Supervisor Merrill reported that there is a bill in tonight for the Downsville Water District Filtration System filters, they are not cheap; WPO Ron MacDonald is getting an order together for new meters with Schmidts Wholesale; they are similar to what we have as our previous ones are not being made any more. Councilwoman Markert asked if the meters are NYSDOH approved. Supervisor replied yes.

Supervisor reported that he is having a conference call with NYCDEP in regards to the DWD Hookup Contract. NYCDEP will be paying for the cost of the hook-up; it is to be contracted out.

Supervisor Merrill reported that we still do not have the permit for the Park Paddle Project.

Supervisor reported that he was working on the Speed Zone River Road and Fuller Hill Road/Horton Brook Road when his computer went down; may have to start over.

Supervisor Merrill reported that the Permissive Referendum Notice was posted in the Bulletin Board on 7/15 and published in The Reporter on 7/21, if no petition by 8/14, we will act on it at the next Town Board Meeting.

Supervisor reported that Surplus Inventory is on the Auctions International Auction #256654 ending 8/17 at 6PM; we will accept or decline bids at the next meeting.

Supervisor Merrill reported that we have received a letter from Delaware County Chamber of Commerce urging town and village officials to not “opt-out” of the opportunity to allow cannabis-related businesses and capture much-needed tax revenue; we also received a letter from Del. Co. Sheriff Craig S. DuMond encouraging the Town of Colchester to support a resolution that would prohibit the operation of certain cannabis related industries in the Township; the recent enacted cannabis statute allows local governments to opt-out of the “privilege” of having a cannabis dispensary or consumption venue located within its jurisdiction; action must be taken before 12/31/2021. Board discussed and will discuss further.

Supervisor reported that a NYSDOH Inspector was at the Town Swimming Pool for four hours; they did not like where the flow meter was installed and wrote us up again about the self-closing entrance gate.

Supervisor Merrill reported that Town Historian Kay Parisi-Hampel has reached out to New York Archaeological Council regarding the hitching posts. NYAC commented that the hitching posts look to be in the NYSDOT right-of-way and recommend that we contact NYSDOT and State Historic Preservation Office (SHPO) Community Preservation Services Bureau. Supervisor has forwarded all information to the Town Attorney. TA Nicholas Cortese has researched this further; he suggests that the Town may want to consider establishing a local historic district for Downsville, or a landmark preservation local law, which could allow for the regulation of the appearance and aesthetics of various structures and objects in the area. Board discussed further.

Supervisor reported that we have received a Public Facility Permit to use the Downsville Covered Bridge Park on Sunday, August 8<sup>th</sup> from noon to 3PM for a child’s birthday party. Councilwoman Champlin commented that the Delaware Valley Ridge Riders is holding their 3<sup>rd</sup> Annual Raffle on the River Event; they have 82 people who have RSVP to show up at 11am and floating on the river at noon. Board discussed and agreed to a two-hour limit starting at 1PM due to the DVRR Event.  
NO. 77-2021 08/04/21 Public Facility Permit No.11-2021

Janet Champlin made the following resolution:

WHEREAS, Danielle Reid has applied for a Public Facility Permit to use the Downsville Covered Bridge Park located at 48 Bridge Street, on Sunday, August 8<sup>th</sup> from 1:00PM to 3:00PM for a 6<sup>th</sup> birthday party;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the Town Clerk to issue Public Facility Permit No.11-2021 to Danielle Reid for the use of the Downsville Covered Bridge Park located at 48 Bridge Street, Downsville, NY on August 08, 2021.

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

Supervisor reported that we have received a Public Facility Permit to use the Walking/Fitness Trail near the Firemen’s Field on Saturday, September 18<sup>th</sup> from 1PM to 2PM for a Wedding Ceremony; the reception is being held at the Firemen’s Field. Board discussed.

NO. 78-2021 08/04/21 Public Facility Permit No.12-2021

Julie Markert made the following resolution:

WHEREAS, Jessica Lacey has applied for a Public Facility Permit to use the Walking/Fitness Trail near the Firemen's Field on Saturday, September 18<sup>th</sup> from 1PM to 2PM for a Wedding Ceremony; THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the Town Clerk to issue Public Facility Permit No.12-2021 to Jessica Lacey for the use of the Walking/Fitness Trail near the Firemen's Field on Saturday, September 18, 2021.

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

Supervisor reported that we have received an application for Use of Public Facilities from Sarah Hood to use sections of River Road and Bridge Street and the Covered Bridge Park located at 48 Bridge Street on Saturday, October 9<sup>th</sup> from 8:00AM to Noon for the Best Dam 5K Color Run and Awards Ceremony. Board discussed.

NO. 79-2021 08/04/21 Public Facility Permit No.13-2021

Julie Markert made the following resolution:

WHEREAS, Sarah Hood on behalf of the Best Dam Race, have applied for a Public Facility Permit to use sections of River Road and Bridge Street and the Covered Bridge Park located at 48 Bridge Street on Saturday, October 9<sup>th</sup> from 8:00AM to Noon for the Best Dam 5K Color Run and Awards Ceremony;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the Town Clerk to issue Public Facility Permit No. 13-2021 to Sarah Hood for the use of River Road, Bridge Street and the Covered Bridge Park located at 48 Bridge Street, Downsville on Oct. 9, 2021.

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

Councilwoman Champlin reported that there will be a Dairy Give-a-Way on Thursday, August 26<sup>th</sup> from 10am to 1pm, or until run out, at the Downsville Firemen's Field.

CEO Thomas Zampolin reported that Interstate Homes.net has sent an agreement to move a 36'x60' Custom Scotsman Commercial style Modular Unit from the foundation of 91310 State Hwy 28, Margaretville to a slab foundation located at 6292 River Road, Downsville; items must be removed before travel time; cost of \$25,000 plus \$6,000 for new skirting; price may be negotiated to include one fire proof cabinet; hiring professional roofing company; they are planning on the last two weeks in September. CEO is also working with NYSEG, they need to send down an engineer. Supervisor added that the Town will remove the cabinets and ramp and pour the new slab foundation; we will get together to see what the Hwy Dept can do for this project and review our options.

Hwy Supt Eck commented that he would like to purchase a smaller plow truck with a crew cab; he has found one on an Onondaga County Contract for a delivered price of \$99,751; when ordered, it will take four months to get; we just sold a 2016 Freightliner Dump Truck to Town of Walton for \$110,000 and our CHIPS Report should be going in soon; and we also have a 2000 International on the auction. Board discussed. Board agreed to reserve for now and discuss further at next meeting.

NO. 80-2021 08/04/21 2021 CV515 Crew Cab 4x4 Chassis Plow Truck

Greg Lavorgna offered the following resolution:

WHEREAS, General Municipal Law 103 Subdivision 16 authorizes governments to purchase apparatus, materials, equipment and supplies through the use of contracts let by United States or any agency thereof;

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby accepts the Bid Reference Piggy Back Onondaga County Contract #ONGOV-106-19 of Stadium International Trucks for a 2021 CV515 Crew Cab 4x4 Chassis Plow Truck;

FURTHER RESOLVED that the Town Board of the Town of Colchester hereby authorizes Hwy Supt Kenneth Eck to reserve said truck.

Resolution was seconded by Janet Champlin.

This resolution was put to a vote by roll call and resulted as follows:

Arthur M. Merrill Voting Aye

Janet L. Champlin Voting Aye

Julie A. Markert Voting Aye

Gregory L. Lavorgna Voting Aye

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.

Councilwoman Markert inquired to the status of the sidewalk near Community Bank. Supervisor suggested that the fire hydrant should be fixed first. WPO MacDonald commented that the leak could be the main water line to the connection; would need to be dug up to find out for sure. Board discussed. We will look into the option of getting rid of hydrant, as it is so close to the fire station. Councilwoman Markert also inquired to the status of the shut off at Dukes. Supervisor advised that the parts are in. WPO MacDonald stated that he will need the help of the bigger backhoe and operator.

Supervisor Merrill made the following announcements:

- Next Regular Meeting is Wed., August 18th - Live and ZOOM Public Hearing at 7PM.

SUBMISSION OF BILL/EXPENSES: Janet Champlin made the motion, seconded by Julie Markert, that the vouchers be approved, subject to any corrections or deletions, all in favor, motion carried. Abstract No. 16-2021 Voucher No.414-443; Totaling \$73,710.51.

Upon recommendation of Supervisor Merrill, Greg Lavorgna made the motion to go into executive session to discuss personnel issues, seconded by Julie Markert, all in favor, motion carried. Board entered executive session at 8:00PM. Hwy Supt Eck was invited to attend. Board held discussion. Greg Lavorgna made the motion to enter back into regular session, seconded by Janet Champlin, all in favor, motion carried. Board entered regular session at 8:30PM. Board made the following resolution.

NO. 81-2021 08/04/21 Letter of Resignation from Timothy R. Wilbur.

Mark Mattson made the following resolution:

WHEREAS, on August 02, 2021 a Letter of Resignation was presented to Supervisor Arthur M. Merrill from Timothy R. Wilbur from the Highway Department;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby accepts with regret said Letter of Resignation from Timothy R. Wilbur as a Town of Colchester HEO effective August 19, 2021.

Resolution was seconded by Greg Lavorgna, all in favor, motion carried.

With no further business, Mark Mattson made the motion for adjournment, seconded by Julie Markert, all in favor, motion carried. Meeting adjourned at 8:31 PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk