

September 01, 2021

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, September 01, 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., Joe Gifford- Assessor, Officer Cawley, Alan Donner, Dan Pinner and Dawn D'Addezio. ZOOM attendees: Randy Shephard-The Reporter and Bonnie Seegmiller.

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 18, 2021 had been distributed earlier. Janet Champlin made the motion to accept the minutes as written, seconded by Greg Lavorgna, all in favor, motion carried.

GUESTS: Joe Gifford, Assessor gave a presentation on Assessment and Equalization Rates.

CORRESPONDENCE:

- NYSDOH- DWD results for Lead and Copper none exceeded the action level; therefore, monitoring may be reduced to ten sites annually.
- NYSDOH- after reviewing the CFWD results for PFOA, PFOS, AND 1,4-Dioxane at the Springs can be reduced to annual sampling instead of quarterly.

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

- Cooks Falls Water District- August 2021- 16 customers balance due \$2,295.00; Receipts of \$650.00 disbursed to Supervisor.
- Downsville Water District- August 2021- 30 customers balance due \$6,813.51; Receipts of \$2,080.83 disbursed to Supervisor.
- Town Clerk- August 2021- Total disbursed \$2,561.61 of which \$2,489.11 was Town revenues.
- Police- August 2021 Activity Report.
- Town Justice DeRosia- August 2021.
- Town Justice Edel- August 2021.
- Planning Board- Minutes of July 15, 2021.

Supervisor reported that NYSDOH has approved the meters for DWD DWSRF #17537 Project; we need to purchase meters and get them installed; we have \$108,000 for this project.

Supervisor Merrill reported that Lynda Hitt of Delaware Opportunities has stated that the CDBG Rehabilitation and Mobile Home Replacement Project has been completed; final request for payment has been submitted; a public hearing is needed for the closeout of the project. Board discussed. Board agreed to have at the next meeting at 7PM and the Regular Town Board Meeting will be held immediately following the public hearing.

NO. 88-2021 09/01/21 Public Hearing CDBG Closeout

Greg Lavorgna made the following resolution:

BE IT RESOLVED, THAT THE Town Board of the Town of Colchester hereby gives notice that the Town of Colchester will be conducting a public hearing on September 15th at

7:00 PM in the Town Hall, 72 Tannery Road, Downsville, New York for the purpose of hearing public comments on the Town of Colchester's current Community Development Block Grant (CDBG) Project: 260HR301-18, Housing Rehabilitation \$500,000. The CDBG program is administered by the New York State Office of Community Renewal (OCR), and provides resources to eligible local governments for housing, economic development, public facilities, public infrastructure, and planning activities, with the principal purpose of benefitting low/moderate income persons. The hearing will provide further information about the progress of the ongoing CDBG project. Comments related to the effectiveness of administration of the CDBG project will also be received at this time. The hearing is being conducted pursuant to Section 570.486, Subpart I of the CFR and in compliance with the requirements of the Housing and Community Development Act of 1974, as amended. Written comments may also be submitted to Colchester Town Clerk at PO Box 321, Downsville, NY 13755 until Sept. 30, 2021.

And further notice is hereby given that the regular monthly meeting of the Town Board will be held immediately following said Public Hearing.

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

Supervisor reported that we are still waiting for the permit for the Downsville Park Paddle Project; we thought we had the permit, but another document was needed.

Supervisor Merrill reported that he is continuing to work on the Speed Zone paper work for River Road and Fuller Hill Road/Horton Brook Road.

Supervisor reported that CEO Zampolin and Highway Supt Eck are working on the layout of the Mobile Office Unit at 6292 River Road.

Supervisor Merrill reported that he has signed documents with EFPR Group to do the calculation of our loss of revenue for the American Rescue Plan Act (ARPA) Coronavirus Local Fiscal Recovery Fund; he has sent EFPR our 2016 through 2020 Audits; our loss will be from the Court revenues; Supervisor received an email from NYS Division of the Budget, that we will receive an additional \$817.40 (remaining funds from any non-responsive municipalities distributed to responsive municipalities) for a total of \$201,0258.04; we have received electronically half (\$100,512.52) and the remaining half will be electronically deposited in the Summer of 2022; the Federal Government has established usage and reporting requirements for these funds; can not be used to off-set taxes.

Supervisor reported that Town Attorney Nick Cortese has been in contact with NYSDOT in regards to Hitching Posts; NYSDOT states a hitching post isn't a DOT asset they maintain; it's just an encroachment that they have not taken action to remove from the ROW; the Town is welcome to write the property owner a letter informing them that the post is on public property and that it's not to be removed. NYSDOT also stated that the property owner filed for a highway work permit to get permission to remove the post; a permit will not be issued. NYSDOT suggested that the Town might be able to request a highway work permit to remove the post themselves, and relocate it on Town owned property. Board discussed and agreed to request a work permit.

Supervisor Merrill reported that on August 30th, MTC submitted their Cable Franchise Renewal to the NYS Public Service Commission.

Officer Ernest Cawley reported that Stalker Radar has updated their quote for four complete packages of Cop Trax Body Worn Camera, 32GB, Model B, a one-time fee \$1,600 for Server Installation and Set Up, and two BWC Wireless Activation Kits, No Cop Trax DVR Support for a grand total of \$5,978 (additional \$190). Board discussed.

NO. 89-2021 09/01/21 Cop Trax Body Worn Camera Purchase from Stalker Radar
Greg Lavorgna made the following resolution:

WHEREAS, Stalker Radar of 855 E. Collins Blvd, Richardson, TX has submitted Quote #2053338 for four Cop Trax Body Worn Camera, 32GB, Model B Packages, one Cop Trax/BWC Enterprise Installation-Single Server Package and two BWC Wireless Activation Kits, No Cop Trax DVR Support Package for a grand total of \$5,978.00; and

WHEREAS, the Town Board of the Town of Colchester hereby accepts said Quote #2053338 in the amount of \$5,978.00 in the best interest of the Town;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes Officer-in-Charge Ernest Cawley to purchase said Cop Trax Body Worn Camera Packages from Stalker Radar of 855 E. Collins Blvd, Richardson, TX.

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

Officer Cawley reported that the four new firearms were delivered today; we must qualify with them before issuing them to the two full-time officers; we need to work out procedure for the part-time officers.

Board discussed the issue of Cannabis-Related Businesses.

NO. 90-2021 09/01/21 Cannabis-Related Businesses

Greg Lavorgna made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester does hereby proclaim that at this time, the Town of Colchester **will not** opt out of Adult Use Cannabis Retail Dispensaries and On-Site Consumption Sites as authorized under Cannabis Law Article 4 with-in the Town's jurisdiction.

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

Supervisor Merrill stated that it is time to bid out fuel for the vehicles and buildings; an ad will be placed; bids are due on October 6th by 2PM in the Town Hall at which time they will be opened and read aloud. The bid will be awarded at the Oct. 6th Board Meeting. Board discussed.

NO. 91-2021 09/01/21 Bid Proposal No.01-21 Fuel

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to advertise for bids for the purpose of purchasing the following fuels: No.2 Heating Fuel and Kerosene to be delivered as needed to various buildings in the Town; Propane to be delivered to the highway garages located at 6292 River Road, Downsville and 20246 County Hwy 17, Cooks Falls and the DWD Water Building at 222 Tub Mill Road, Downsville; Diesel Fuel and Winter Blend to be delivered to the highway garage located at 6292 River Road, Downsville. Bids will be received at the office of the Colchester Town Clerk, 72 Tannery Road, Downsville, New York until 3:00 PM on the 6th day of October, 2021. Bids will be publicly opened and read aloud at the Town Hall on October 06, 2021 at 3:00 PM.

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

Supervisor Merrill reported that the Teamsters would like to schedule negotiations for the Highway Dept; Committee will stay the same: Supervisor, Hwy Supt and Councilman Mattson.

Supervisor reported that an ad for HEOs has been placed; applications are due Sept. 14th.

Supervisor Merrill made the following announcements:

- Next Regular Meeting is Wed., Sept. 15th - Live and ZOOM with Public Hearing at 7PM.

Councilman Mattson commented that the water main repair at Dukes needs to be completed soon, before winter sets in.

Councilman Lavorgna commented that the Highway Dept is still interested in Direct Deposit. Supervisor replied that we still need to cut a check and then void them. Bookkeeper Dawn D'Addezio suggested that most banks have apps that you can take a picture on your cell-phone and deposit into your bank account.

Councilwoman Champlin inquired to the status of stickers/permits for the Transfer Station. Board discussed. A committee of Councilman Lavorgna and Councilwoman Champlin along with Ken Kipp, Transfer Station Superintendent was established. They will meet and submit at next meeting.

Councilwoman Champlin commented that there is a cow manure problem on Gregory Hollow Road and Telford Hollow Road. It is an ENCON issue that is not being taken care of. ENCON will be contacted again.

Councilwoman Champlin stated that our Town Police vehicle has been spotted on NYS Hwy 17; thought we had a policy not to be sitting on NYS Hwy 17. Supervisor was not aware that they were. Councilman Lavorgna commented that we are losing revenues by not being on there.

SUBMISSION OF BILL/EXPENSES: Mark Mattson made the motion, seconded by Janet Champlin, that the vouchers be approved, subject to any corrections or deletions, all in favor, motion carried. Abstract No. 18-2021 Voucher No.481-496; Totaling \$34,713.30.

Upon recommendation of the Supervisor, Janet Champlin 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 8:13 PM. Dawn D'Addezio and Hwy Supt Eck were invited to stay. 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 9:00 PM. Board made no decision forthcoming.

With no further business, Mark Mattson made the motion for adjournment, seconded by Julie Markert, all in favor, motion carried. Meeting adjourned at 9:00 PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk