

August 03, 2022

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, August 03, 2022 at 7:00 PM at the Town Hall.

Present: Arthur M. Merrill Supervisor
Janet L. Champlin Councilwoman
Gregory L. Lavorgna Councilman
Julie A. Markert Councilwoman
Daniel J. Pinner Councilman

Recording Secretary: Julie B. Townsend Town Clerk

Others present: Kenneth R. Eck, Jr.-Highway Supt., Alan Donner, Elizabeth DeFalco- The Reporter and Officer Cawley

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 20, 2022 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: CEO Richard Hascha addressed the Board with his concerns and procedure of “Notice of Violation;” on 03/03/2020 Gene Wilhowsky filed a letter of complaints with the Town of Colchester; Former CEO Thomas Zampolin took care of some of the complaints; on 05/16/2021 Mr. Wilhowsky sent another letter of complaint adding seven new properties; Mr. Wilhowsky sent these complaints to NYS; CEO Zampolin and Supervisor Merrill held a conference call with NYS Division of Building Standards and Codes, Kiley DeCastro and her boss to address the complaints; Jan 01, 2022 Richard Hascha became CEO and has phone calls and emails from NYS Kiley DeCastro regarding the status of complaints; CEO Hascha tried to do the diplomatic way of visiting the property owners and talking with them; some were willing to correct their violation and a few made things worse. Board discussed at length. Board expressed that in two weeks the Delaware County Fair is opening and residents are getting their derby cars ready (derby cars are the main complaint). CEO stated that since these complaints went to the State, we must address them; NYS Law states one unregistered vehicle on a property, if more, then in violation; CEO Hascha reported that two property owners have been given a second written “Notice of Violation” if not taken care of, the next step is to give to Court and they could be fined up to \$200.00 a day. CEO submitted a copy of the letter dated July 21, 2022 to Kiley DeCastro with his findings. Board reviewed and suggested that we wait to hear from the State. Supervisor and Councilmen Lavorgna and Pinner agreed that talking with property owners first was the diplomatic thing to do. CEO stated that he was left this mess and was not sure how to handle; his procedure will be: 1-talk personally with property owner; 2-send written “Notice of Violation”; 3- send a second written “Notice of Violation”; and 4- if not taken care of the “Notice of Violation” will be become a Town of Colchester Court Appearance Ticket.

On another subject, CEO asked if Town Officials were notified of the power outage? Supervisor replied that he was not notified and should have been. Councilwoman Champlin stated it was on NYSEG web-site.

VISITOR COMMENTS: none.

CORRESPONDENCE:

- NYS Dept. of Public Service- Please join us in a statewide effort to encourage everyone to be more energy efficient this summer and throughout the year.

- NYS Dept. of Health- Swimming Pool Inspection Summary Report of July 21, 2022: Gate for the Kiddie/Wading Pool is not self-closing or self-latching; one of the filters was disconnected; education given on free chlorine residual and back flow prevention.

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

- Cooks Falls Water District- July 2022- 39 customer balance due \$3,374.50; Receipts of \$2,370.01 disbursed to Supervisor.
- Downsville Water District- July 2022- 76 customers balance due \$10,512.03; Receipts of \$12,405.82 disbursed to Supervisor.
- Town Clerk- July 2022- Total disbursed \$1,702.51 of which \$1,600.01 was Town revenues.
- Police- July 2022 Activity Report.
- Town Justice Edel- \$5,074.00 reported for July 2022.
- Planning Board- Minutes of June 16, 2022.

Supervisor Merrill reported on the American Rescue Plan Funding: Received quote for roofing the C&D bin at Transfer Station; this was for roof only, need someone to build structure; received quote for putting in the new water line at the new office unit; this quote did not include excavation; Hwy Supt stated that should not be a problem as the highway dept can do this. Board discussed.
NO. 74-2022 08/03/22 Accept Quote of Titan Drilling Corp.

Greg Lavorgna made the following resolution:

WHEREAS, Titan Drilling Corp. of 264 County Hwy 38, Arkville, NY has submitted a quote to run a new water line from the existing well to the new Town Office Unit located at 6292 River Road for an estimate of \$1,100.00; and

WHEREAS, the Town Board of the Town of Colchester hereby accepts said Quote in the amount of \$1,100.00 in the best interest of the Town;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to enter into contract with Titan Drilling Corp. of 264 County Hwy 38, Arkville, NY.

Resolution seconded by Dan Pinner, all in favor, resolution declared adopted.

Supervisor reported that Vincent Snyder of Roxbury gave us a quote to refinish the Town Hall floors; we would not start this project until offices have moved to the new office unit and do one or two rooms at a time; we could possibly use the DASNY Grant Renovation Project funds.

Supervisor Merrill reported that he has spoken with Peter Heimbuecher and Peter is interested in doing the meter installation project for the Downsville Water System Improvement Project; DWD WPO Ron MacDonald has also been in contact with Peter Heimbuecher, they are composing a list of waters to be installed; Peter could be the backup for WPO MacDonald. Board discussed.

NO. 75-2022 08/03/22 Appoint Peter Heimbuecher WPO Assistant

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby appoints Peter Heimbuecher as Water Plant Operator Assistant in the best interest of the Water District.

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

Supervisor reported that he has spoken with NYS Parks and Recreation regarding the Park Paddle Project; they want us to construct the fishing dock and pavilion; they also want to see the emails regarding the boat launch; the materials for the fishing dock and pavilion will probably use up the money we have been awarded.

Supervisor Merrill reported that last meeting we gave the Hwy Supt authorization to bid on three used trucks; we won two of the three bid auctions; there are two vouchers in tonight's bills. Board discussed and approved by the following two resolutions.

NO. 76-2022 08/03/22 2018 Ford XL F350 Super Duty Crew Cab Pickup Truck with plow
Julie Markert made the following resolution:

WHEREAS, per Resolution NO. 71-2022, dated 07/20/2022, gave authorization to the Highway Supt. to place a bid at Auctions International, not to exceed \$60,000 for a 2018 Ford XL F350 Super Duty Crew Cab Pickup Truck with plow; and

WHEREAS, said bid has concluded and the Town of Colchester has won the Town of Rodman Hwy-NY #29312 auction for a 2018 Ford XL F350 Super Duty Crew Cab Pickup Truck with plow; and

WHEREAS, Auctions International has sent us Invoice #94109 in the amount of \$50,820.00 (bid of \$46,200 plus 10% Buyers Premium);

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby accepts said invoice and authorizes Supervisor Arthur M. Merrill to pay said invoice from the Highway Equipment Budget Line in the amount of \$50,820.00.

Resolution was seconded by Dan Pinner.

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	voting aye
Councilperson, Julie A. Markert	voting aye
Councilperson, Daniel J. Pinner	voting aye

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

NO. 77-2022 08/03/22 2015 Ford F250 XL Super Duty Pickup Truck with plow
Greg Lavorgna made the following resolution:

WHEREAS, per Resolution NO. 72-2022, dated 07/20/2022, gave authorization to the Highway Supt. to place a bid at Auctions International, not to exceed \$35,000 for a 2015 Ford F250 XL Super Duty Pickup Truck with plow; and

WHEREAS, said bid has concluded and the Town of Colchester has won the Town of Big Flats-NY #29051 auction for a 2015 Ford F250 XL Super Duty Pickup Truck with plow; and

WHEREAS, Auctions International has sent us Invoice #94049 in the amount of \$34,210.00 (bid of \$31,100 plus 10% Buyers Premium);

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby accepts said invoice and authorizes Supervisor Arthur M. Merrill to pay said invoice from the Highway Equipment Budget Line in the amount of \$34,210.00.

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, Gregory L. Lavorgna	voting aye
Councilperson, Julie A. Markert	voting aye
Councilperson, Daniel J. Pinner	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 we have received another lifeguard application; Pool Director stated that we can use another lifeguard, especially when lifeguards go back to college. Board discussed.

NO. 78-2022 08/03/22 Appoint Additional 2022 Pool Personnel

Upon the recommendation of Pool Director, Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby hires Jesse Chase Mabery as a Lifeguard at the rate of \$13.20 per hour effective August 04, 2022 for the remainder of the 2022 Pool Season.

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

Supervisor Merrill made the following announcements:

- Next Regular Meeting is Wed., August 17th at 7PM
- Colchester Historical Society Benefit Quilt Show at the Shinhopple Memorial Center on Friday, August 12th Noon-5PM and Sat, August 13 & Sun, August 14 10AM-5PM.

SUBMISSION OF BILL/EXPENSES: Greg Lavorgna made the motion, seconded by Dan Pinner, that the vouchers be approved, subject to any corrections or deletions, all in favor, motion carried. Abstract No. 13-2022 Voucher No.410-439; Totaling \$402,293.56.

Hwy Supt Eck reported that he has spoken with Christine Reimer of 1875 Baxter Mtn Road; she is considering moving here full time and continuing her maple syrup business, but wanted to make sure the road was going to be maintained all year long; Baxter Mt. Road from Rosencranse to the end is designated as Seasonal Limited Use Highway and is not maintained during the winter; Mrs. Reimer's property is beyond Rosencranse. Board discussed. It was agreed that once proof of STAR Exemption was provided, the Town would maintain the road to her property all the time.

Supervisor Merrill reported that we have received a quote for a new copier, like the one we have that was purchased in 2013; maintenance personnel stated that it is getting hard to find replacement parts for our machine; we paid \$4,675.00 in 2013 and the maintenance contract is \$0.0133 per copy, we were billed \$59.00 so far in 2022. Board discussed.

NO. 79-2022 08/03/22 Purchase Lanier IM 2500 Digital Copier

Janet Champlin made the following resolution:

BE IT RESOLVED that the Town Board of the Town of Colchester hereby gives authorization to Supervisor Arthur M. Merrill to purchase a Lanier IM 2500 Digital Copier off the US Communities Price List from Electronic Business Products, Inc. of 1901 Vestal Parkway, Vestal, New York at the delivered and installed cost of \$4,888.89.

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

Board held a discussion of the intersection of Montgomery Ave and Knox Ave. Grass has been cut on bank and trimmed bank recently; this intersection has always been a dangerous intersection.

With no further business, Greg Lavorgna made the motion for adjournment, seconded by Julie Markert, all in favor, motion carried. Meeting adjourned at 8:30 PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk