

September 07, 2022

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, September 07, 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., The Reporter-Elizabeth DeFalco, Rob Hafele, Alan Donner, 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, August 17, 2022 had been distributed earlier. Greg Lavorgna made the motion to accept the minutes as written, seconded by Janet Champlin, all in favor, motion carried.

VISITOR COMMENTS: Planning Board Chairman Alan Donner submitted a proposed list of Planning Board Fees for Jan. 01, 2023; all items went up \$10.00. Board will review and adopt at next Town Board Meeting.

CORRESPONDENCE:

- Delaware County DPW- Clean Sweep Chemical Disposal Days: October 7th & 8th Delhi, NY.
- NYCDEP- Notice of Preliminary Decision – Stream management Program- Town of Hamden.
- NYCDEP- Job Posting Notice: Downsville Regional Engineer, Civil Engineering Intern.

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

- Cooks Falls Water District- August 2022- 19 customer balance due \$2,325.00; Receipts of \$1,050.02 disbursed to Supervisor.
- Downsville Water District- August 2022- 53 customers balance due \$8,889.03; Receipts of \$1,623.03 disbursed to Supervisor.
- Town Clerk- August 2022- Total disbursed \$2,882.01 of which \$2,800.01 was Town revenues.
- Police- August 2022 Activity Report.
- Town Justice Edel- \$6,721.00 reported for August 2022.
- Planning Board- Minutes of July 21, 2022.

Supervisor Merrill reported on the American Rescue Plan: received estimate for covering the C&D bin at the transfer Station of \$50,000 plus \$15,000 for a total of \$65,000, not sure if this is worth the cost; we need to do some tin work also. Board discussed and will continue to research.

Supervisor stated that there was nothing new on the DASNY- 5 SAM Grant Projects.

Supervisor Merrill reported that we have received from NYSEFC DWSRF17537 RequisitionNo.2 in the amount of \$49,067.62; we need to do a Budget Amendment for DWD and then payback the \$50,000 Loan to Supervisor's General Fund made last year to cover the cost of the meter purchase; once this is done, we will not have enough funds to make our Sept 21st payment to NYSEFC for the DWSRF17537 Loan#5713; we will need to borrow \$13,000. Board discussed.

NO. 83-2022 09/07/22 Budget Amendment for DWD

Julie Markert made the following resolution:

WHEREAS, the Downsville Water District has made Requisition Number 2 (#8) to the New York State Environmental Facilities Corporation in the amount of \$49,067.62 for the DWD DWSRF #17537 Project; and

WHEREAS, the Town of Colchester has received said NYSEFC funds in the amount of \$49,067.62;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to amend the 2022 Budget by increasing the DWD Revenue State Aid/Water Capital Project Fund #3991.08 by \$49,067.62 and increasing the DWD Appropriations Rehabilitation Grant Fund #8668.4.08 by \$49,067.62.

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, Julie A. Markert -voting aye

Councilperson, Gregory L. Lavorgna -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. 84-2022 09/07/22 DWD Payback Loan to Supervisor's General Fund

Janet Champlin made the following resolution:

WHEREAS, the Downsville Water District had insufficient funds for the Downsville Water District Improvement Project, D0-17537 to pay Schmidt's Wholesale, Inc for Invoice Number 164500 (the purchase of 125 meters, remote displays and parts); and

WHEREAS, on November 10, 2021, per Resolution No. 112-2021, the Town Board of the Town of Colchester authorized 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 \$50,000.00; and

WHEREAS, on September 01, 2022 NYSEFC deposited Requisition Number 2 (#8) to the DWD;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to payback the Supervisor's General Fund the said loan of \$50,000.00.

Resolution was seconded by Greg Lavorgna.

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, Gregory L. Lavorgna -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. 85-2022 09/07/22 Inter-Fund Transfer to DWD

Greg Lavorgna made the following resolution:

WHEREAS, the Downsville Water District had insufficient funds to make their September 21st Principal payment to the NYSEFC Loan#5713 that is in tonight's vouchers;

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 \$13,000.00.

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, Julie A. Markert -voting aye

Councilperson, Gregory L. Lavorgna -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 are waiting for a transfer switch & generator for the MobileOfficeUnit.

Councilman Pinner inquired to the status of the compactor for the transfer station. Supervisor replied that our electrician is trying to find an 400amp panel, NYSEG does not have. Councilman Pinner added that Seabright stated they are waiting on two cylinders, should have in a couple of weeks.

Councilwoman Markert inquired about the voucher in for \$5,000; is the skirting done on the Mobile Office Unit? Supervisor replied that the skirting is completed; next we need to go into building and rough out where everything is going and where we need the plumbing located.

Supervisor Merrill reported that NYCDEP has secured the funding to hookup to DWD; they plan to bid in the Spring of 2023 and go to construction in 2024.

Supervisor reported that we are waiting for the boat launch permit for the Park Paddle Project; going to try to get the parking lot paved this year. Councilwoman Markert asked who was parking the utility trucks at the park? Do they have a permit? Are they paying? Supervisor replied that the Power Authority has asked to park a few trucks there, did not realize how many trucks were there. Board discussed.

Supervisor reported that CEO Rich Hascha has heard back from NYS Division of Building Standards and Codes; all but two (derby cars) violations are being completed; the possibility of a local law would have to go through the State and hopefully approved by them.

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 5th by 4PM in the Town Hall at which time they will be opened and read aloud. The bid will be awarded at the Oct. 5th Board Meeting. Board discussed.

NO. 86-2022 09/07/22 Bid Proposal No.01-22 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: PLEASE TAKE NOTICE that pursuant to the provisions of Section 103 of General Municipal Law, sealed bids will be received by the Town of Colchester for the following:

- A. **No. 2 Heating Fuel** to be delivered as needed to Town Hall, 72 Tannery Rd, Downsville.
- B. **Kerosene** to be delivered as needed to Paige Cemetery, 15505 State Hwy 30 and Highway Garage, 6292 River Rd, Downsville.
- C. **Winter Blend** to be delivered as needed to Highway Garage, 6292 River Rd, Downsville.
- D. **Diesel Fuel** to be delivered as needed to Highway Garage, 6292 River Rd, Downsville.
- E. **Propane** to be delivered as needed to Highway Garage, 20246 County Hwy 17, Cooks Falls; Highway Garage, 6292 River Rd; DWD Water Building, 222 Tub Mill Rd; and Town Hall, 72 Tannery Rd, Downsville.

Bids will be received at the office of the Colchester Town Clerk, 72 Tannery Road, Downsville, New York until 4:00 PM on the 5th day of October, 2022. Bids will be publicly opened and read aloud at the Town Hall on October 05, 2022 at 4:00 PM.

Resolution was seconded by Julie Markert, 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 8th from 8:00AM to Noon for the Best Dam 5K Color Run and Awards Ceremony. Board discussed.

NO. 87-2022 09/07/22 Public Facility Permit No.09-2022

Greg Lavorgna made the following resolution:

WHEREAS, Sarah Hood on behalf of the Best Dam 5K 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 8th 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.09-2022 to Sarah Hood for the use of River Road, Bridge Street and the Covered Bridge Park located at 48 Bridge Street, Downs ville on Oct. 8, 2022.

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

Supervisor Merrill stated that if anyone had requests for the 2023 Budget, they should talk with him soon; he has started to prepare the Tentative 2023 Budget.

Supervisor asked if we had items to be listed as surplus inventory. Board discussed. Board agreed to list our current salt shed located at 15500 State Hwy 30 as surplus inventory (they dismantle and take away); we do not have to accept the bid if we feel it is not adequate. Board agreed to compose a list and go out to auction with Auctions International.

Supervisor Merrill reported that Francis Scott O'Brien is working out well as a Part-time Cemetery Laborer; Scott has an interview with NYSDOT and we advised him that we could not hold him back as this is a part-time position until mid-October; and if the NYSDOT is willing to train him, we can only wish him well; Cemetery Supervisor Nate Homovich was wondering if we could hire another person, just in case Scott leaves us. Board discussed. Hwy Supt Eck and Board agreed that if some help was needed within the next few weeks, that someone from the highway dept would be there to help.

Supervisor Merrill made the following announcements:

- Next Regular Meeting is Wed., September 21st at 7PM.
- Friends of the Colchester Library having a dedication in honor of the late librarian Joyce Steflik on Wed, Sept 14th at 7PM.

Councilwoman Markert inquired about the sinkhole on Horse Brook Road. Hwy Supt replied that engineers have looked at it and have no clue why or what to do; they have suggested rip-rap or sheet piling wall; we need to figure out plan for hazard mitigation; there is a huge amount of clay like quicksand.

Councilwoman Markert stated that there have been many complaints about side-by-sides, ATVs and UTVs on Town Roads; can we pass a Town Law to allow them on the roads? "The Delaware County Farm Bureau supports any resolution that would allow for ATV's, UTV's and all other side by sides to be used for agricultural purposes on town roads, as long as the vehicles are insured and properly marked with slow moving vehicle signage and are being used only for agricultural purposes." Board discussed and will be investigated further.

Councilwoman Champlin stated that the flag at Downs Grave needs to be replaced. Supervisor advised her to contact the American Legion to order one and the Town will cover the cost.

Councilman Pinner stated that Darryl Houck was wondering what the outcome of the complaints at the intersection of Knox and Montgomery Avenues was? Board discussed. Board agreed that Delaware County DPW should be contacted and they should investigate the dangerous issue.

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. 15-2022 Voucher No.465-508; Totaling \$204,876.00.

With no further business, Janet Champlin made the motion for adjournment, seconded by Julie Markert, all in favor, motion carried. Meeting adjourned at 7:55 PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk