

September 21, 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

Absent: Daniel J. Pinner Councilman

Recording Secretary: Julie B. Townsend Town Clerk

Others present: Kenneth R. Eck, Jr.-Highway Supt., The Reporter-Elizabeth DeFalco, 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, November 07, 2022 had been distributed earlier. Janet Champlin made the motion to accept the minutes as written, seconded by Julie Markert, Janet Champlin-aye, Greg Lavorgna-aye, Julie Markert-aye, Arthur Merrill-aye, Dan Pinner-absent, motion carried.

VISITOR COMMENTS: none.

CORRESPONDENCE: none

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

- Town Justice Conrow- \$5,963.00 reported for August 2022.
- Planning Board- Minutes of August 18, 2022.

Supervisor Merrill reported that we have five SAM Grant Projects through DASNY: #1-\$100,000-2022 plow truck; #2-\$50,000- Construction of salt shed; #3-\$50,000- Reno of Town Hall and relocation of salt shed; #4-\$50,000- DWD before filtration project (Possibly large well pump and small storage shed for chemicals); and #5-\$50,000- CFWD reno pumphouse and water mains. He would like to combine #2 and #3 to have \$100,000 for a new salt shed to be located at 6292 River Road. Hwy Supt Eck replied that he is still investigating the costs.

Supervisor reported that the DWD WPO Assistant has suggested that \$200 for a meter installation is not sufficient; he suggests that \$225 for each meter installed; Supervisor added that the figure of \$200 was from a couple of years ago; the DWSRF Grant will cover the costs. Board discussed.  
NO. 88-2022 09/21/22 Increase DWD Meter Installation Stipend

Julie Markert made the following resolution:

BE IT RESOLVED that the Town Board of the Town of Colchester hereby approves the stipend of \$225.00 for each meter installed for the Downsville Water District DWSRF Project. Resolution was seconded by Greg Lavorgna, Janet Champlin-aye, Greg Lavorgna-aye, Julie Markert-aye, Arthur Merrill-aye, Dan Pinner-absent, resolution declared adopted.

Supervisor Merrill reported that there was a misunderstanding with last meetings DWD loan payment; we have two loans for DWD: #1-NYSEFC Loan#5713 is due every September 21<sup>st</sup> a Principal payment of \$13,620 until 2050; #2-USDA/Rural Development Loan#9101 is due every October 1<sup>st</sup> a Principal payment of \$12,000 plus interest and Interest only April 1st until October 2024. Since we have another loan payment due and insufficient funds, we need to make another Inter-fund transfer from the General account to DWD. Board discussed.

NO. 89-2022 09/21/22 Inter-Fund Transfer to DWD

Janet Champlin made the following resolution:

WHEREAS, the Downsville Water District had insufficient funds to make their October 1<sup>st</sup> Principal and Interest payments to the USDA/Rural Development Loan#9101 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 \$13,100.00.

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, Gregory L. Lavorgna	voting aye
Councilperson, Julie A. Markert	voting aye
Councilperson, Daniel J. Pinner	voting absent

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

Supervisor reported that we need to visit the Mobile Office Unit and review and decide on a layout of the offices.

Supervisor Merrill reported that we have finally received the NYSDEC permit for the boat launch and dock; Hwy Supt Eck commented that they will start this project Monday for the Downsville Park Paddle Project; should be able to blacktop the driveway in two weeks.

Supervisor reported that bids are due by 4pm on Oct 5<sup>th</sup> for Bid Proposal No.01-22 Fuel and the Bid Opening will then be held at 4pm and hopefully we will award the bid at the Oct 5<sup>th</sup> meeting.

Supervisor commented that nothing has been done on the ATV/UTV Local Law. Councilwoman Markert commented that maybe Delaware County Soil & Water Conservation District could come up with the wordage for this local law; wish we could have "ATV/UTV Friendly Roads." Board discussed further.

Supervisor Merrill reported that he is working on the 2023 Budget; if anyone has any requests, they should contact him now.

Supervisor asked if we had anymore information regarding Surplus Inventory to Auction. Hwy Supt commented that he will forward more info on lawn mowers and date of auction to Town Clerk; Auctions International was here taking pictures of items. Board discussed.

NO. 90-2022 09/21/22 Surplus Inventory to Auction

Janet Champlin made the following resolution:

WHEREAS, the Town Board of the Town of Colchester has accepted the following as Surplus Inventory:

2012 Ford F250 Super Duty XL Pickup Truck- 1FTBF2B63CEC68827

2011 Dixie Chopper Zero 50" Silver Eagle 2750 Mower

2014 Husqvarna 48" P-ZT-48 Zero Turn Mower

Salt Shed 40'x40'x20' (bidder must disassemble and remove)

41 Cooper Lighting Overhead Lights -250watt shop lights

THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes Supervisor, Arthur M. Merrill to advertise such equipment with Auctions International of 11167 Route20-A, East Aurora, New York, for the next online auction to be held (Sept. 27 to Oct. 11, 2022), in the best interest of the Town.

Resolution was seconded by Greg Lavorgna, Janet Champlin-aye, Greg Lavorgna-aye, Julie Markert-aye, Arthur Merrill-aye, Dan Pinner-absent, resolution declared adopted.

Supervisor Merrill asked if there was anymore discussion on the proposed Planning Board Fee Schedule amendment; if not could we have a motion to adopt.

NO. 91-2022 09/21/22 Amend Planning Board Fee Schedule

Upon recommendation from Planning Board Chair Alan Donner, Greg Lavorgna made the following resolution:

BE IT RESOLVED that the Town Board of the Town of Colchester hereby amends the Planning Board Fee Schedule adopted on 08/16/2015, effective 01/01/2023 as follows:

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PLANNING BOARD FEE SCHEDULE  
Amended 09/21/2022 Per Resolution NO. ##-2022  
Effective 01/01/2023

Sketch Plan.....	none
Combining two or more contiguous Properties owned by same owner(s).	\$40.00
Boundary Line Adjustment .....	\$40.00
Minor Subdivision.....	\$40.00 plus
	.....\$30.00 for each lot being created
Conservation Easement.....	\$40.00 plus
	.....\$30.00 for each lot being created
Preliminary Plat (Major).....	\$40.00
Final Plat (Major).....	\$40.00 plus
	.....\$30.00 for each lot being created
Inspection Fee.....	1% of estimated cost of project improvements

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Resolution was seconded by Janet Champlin, Janet Champlin-aye, Greg Lavorgna-aye, Julie Markert-aye, Arthur Merrill-aye, Dan Pinner-absent, resolution declared adopted.

Supervisor Merrill reported that William Reichert contacted us regarding the Christmas Parade to be held December 10<sup>th</sup>. Board discussed.

NO. 92-2022 09/21/22 Sponsor Christmas Parade & File Perm33c

Julie Markert made the following resolution:

BE IT RESOLVED that the Town Board of the Town of Colchester hereby sponsors the Christmas Parade to be held at 4:30PM Saturday, December 10, 2022 on NY State Highway 30 and 206, Downsville, New York and hereby authorizes the Supervisor to file the NYSDOT Special Use Permit Application (Perm33c) on behalf of the Downsville Christmas Parade Committee.

Resolution was seconded by Janet Champlin, Janet Champlin-aye, Greg Lavorgna-aye, Julie Markert-aye, Arthur Merrill-aye, Dan Pinner-absent, resolution declared adopted.

NO. 93-2022 09/21/22 Public Facility Permit No.10-2022

Greg Lavorgna made the following resolution:

WHEREAS, William Reichert on behalf of the Downsville Christmas Parade Committee has applied for a Public Facility Permit to use the Pepacton Park located at 15500 State Hwy 30, on Saturday, December 10<sup>th</sup> from 4:30PM to 6:00PM for turning around of Christmas Parade Floats to proceed back to Downsville Central School;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the Town Clerk to issue Public Facility Permit No. 10-2022 to the Downsville Christmas Parade Committee for the use of the Pepacton Park located at 15500 State Hwy 30, Downsville, NY.

Resolution was seconded by Julie Markert, Janet Champlin-aye, Greg Lavorgna-aye, Julie Markert-aye, Arthur Merrill-aye, Dan Pinner-absent, resolution declared adopted.

Supervisor reported that Kevin Morse of Kaatirondack Benefit Planning Inc. has sent an email regarding our 2023 Health Care Contract; Excellus requested a 12.7% increase, but State granted a 7.80% increase; we may not hit 50% of the HRA amount; HRA is being increased 500/1000. Board reviewed the 2023 Renewal Worksheet and discussed.

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby offers the Health Reimbursement Account (HRA) Option Excellus Blue Cross/Blue Shield SimplyBlue-Bronze 4 Health Care Plan administered by Lifetime Benefit Solutions for the Year 2023;

BE IT FURTHER RESOLVED, that it is the policy of the Town of Colchester that the Town will pay the full premium cost for full-time employees, with the exception of Members of the Teamsters Local Union No. 713, who contribute 6% of premiums; that the Town will pay for a single person plan for Full-Time Elected Officials, specifically, Town Supervisor, Town Clerk, and Superintendent of Highways; and if an elected official desires to purchase a health care plan through the Town as an elected employee, he/she shall be reimbursed 50% of a single person insurance premium;

FURTHER RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to contact Kaatirondack Benefit Planning Inc. that the Town of Colchester hereby accepts the contract of Health Reimbursement Account (HRA) Option Excellus Blue Cross/Blue Shield SimplyBlue-Bronze 4 Health Care Plan for the Year 2023;

FURTHER RESOLVED that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to deposit funds into the existing special HRA Health Spending Debit Card Account at Community Bank NA and hereby authorizes Lifetime Benefit Solutions with Electronic Withdrawals.

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, Gregory L. Lavorgna	voting aye
Councilperson, Julie A. Markert	voting aye
Councilperson, Daniel J. Pinner	voting absent

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

Supervisor Merrill reported that we would like to have another substitute at the transfer station; there have been days when the substitute cannot cover for the Transfer Sta. Supt. Board discussed.

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby appoints Francis Scott O'Brien of 1170 River Road, Downsville, New York as Sub. Transfer Station Supt. at an hourly rate of \$15.50 per hour with no benefits, assignments and duties at the discretion of the Transfer Station Supt. and/or Town Supervisor.

Resolution seconded by Julie Markert, Janet Champlin-aye, Greg Lavorgna-aye, Julie Markert-aye, Arthur Merrill-aye, Dan Pinner-absent, resolution declared adopted.

Supervisor read a letter that was sent to the Fonda family: "On behalf of the Town Board of the Town of Colchester, we recognize the dedicated service of Theodore C. "Ted" Fonda as Town Justice from 1/1/1990 to 11/17/2010 and Town Supervisor from 1/1/2012 to 5/1/2012. We, the Town Board, the staff here at Town Hall, and the citizens of the Town of Colchester, would like to thank Ted for his service and dedication to Colchester. His years as an integral member of Town Government are greatly appreciated. He served with honor and integrity and was always a reliable official who could be counted on to willingly participate in Town events and fulfill all his responsibilities. Ted's dedication to the Town was always evident. We also wish to extend our condolences to Ted's wife Marlene and the Fonda family in memory of his passing on August 20, 2022. Again, we thank him for his service."

Supervisor Merrill commented that a Councilmember has asked if the time of our meetings could be changed for a few meetings. Board discussed.

NO. 96-2022 09/21/22 Change Board Meeting Time

Julie Markert made the following resolution:

BE IT RESOLVED that the Town Board of the Town of Colchester does hereby change their meeting time from 7PM to 5PM for the months of October, November and December 2022. Resolution was seconded by Janet Champlin, Janet Champlin-aye, Greg Lavorgna-aye, Julie Markert-aye, Arthur Merrill-aye, Dan Pinner-absent, resolution declared adopted.

Supervisor Merrill made the following announcements:

- Next Regular Meeting is Wed., October 5<sup>th</sup> at 5PM.

Hwy Supt Eck reported that we received the new 2022 International Truck today from Stadium International Trucks Inc.

Councilwoman Champlin stated that the flag at Downs Grave has been taken care of.

Hwy Supt reported that we have finished up our CHIPS Project for this year and we will roll-over \$18,000-19,000 to next year.

Councilwoman Markert inquired if the pool was closed-up and are we painting it this fall? Supervisor replied that he believed it was being closed-up for the winter and we would probably paint it next spring, not enough time and man power to do now.

Board held a discussion regarding CDL training.

Councilwoman Champlin stated that next Tuesday, our Senior Meals Program will have served 10,000 meals.

SUBMISSION OF BILL/EXPENSES: Julie Markert made the motion, seconded by Greg Lavorgna, that the vouchers be approved, subject to any corrections or deletions, Janet Champlin-aye, Greg Lavorgna-aye, Julie Markert-aye, Arthur Merrill-aye, Dan Pinner-absent, motion carried. Abstract No. 16-2022 Voucher No.509-533; Totaling \$54,164.69.

With no further business, Greg Lavorgna made the motion for adjournment, seconded by Julie Markert, Janet Champlin-aye, Greg Lavorgna-aye, Julie Markert-aye, Arthur Merrill-aye, Dan Pinner-absent, motion carried. Meeting adjourned at 7:48 PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk