

December 07, 2022

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, December 07, 2022 at 5:00 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, 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 16, 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.

VISITOR COMMENTS: Julie Markert spoke on behalf of Andrew Mattson: the local snowmobile group would like to add a section of Montgomery Avenue: from #65 (Pollock 358.2-2-22) to #187 (Emerich 339.-1-33.12) as a designated street which may be used for the purpose of operation of snowmobiles. Supervisor commented that we will need to talk with our Town Attorney to see what procedure we need to do; the Town Board adopted Local Law No.1 of 2009, amending Local Law No.1 of 1972: Local Law to Regulate Operation of Snowmobiles; if there are anymore additions, we would like to do at one time.

CORRESPONDENCE: none.

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

- Cooks Falls Water District- November 2022- 7 customers balance due \$455.00; Receipts of \$250.00 disbursed to Supervisor. 12 customers re-levied in the amount of \$2,630.00.
- Downsville Water District- November 2022- 14 customers balance due \$1,266.90; Receipts of \$3,168.57 disbursed to Supervisor. 18 customers re-levied in the amount of \$6,653.98.
- Town Clerk- November 2022- Total disbursed \$4,681.01 of which \$24,663.01 was Town revenues.
- Police- November 2022 Activity Report.
- Town Justice Conrow- \$6,345.00 reported for November 2022.
- Town Justice Edel- \$7,029.00 reported for November 2022.
- Planning Board- 10-20-2022 Minutes.

Supervisor reported that we have paid Peter Heimbuecher to install 22 meters and have paid material costs to him and to Schmidt's Wholesale, Inc. and the Downsville Hardware Store; we need approval to submit to NYSEFC for reimbursement under the Downsville Water System Improvement Project DWSRF #17537. Board discussed.

NO.108-2022 12/07/22 DWSRF 17537 Requisition No.3

Greg Lavorgna made the following resolution:

WHEREAS, the Town of Colchester had applied for funding for the Downsville Water District Improvement Project, D0-17537; and

WHEREAS, the NYS Environmental Facilities Corporation has approved the aforementioned application; and

WHEREAS, the Town may now request disbursements for project costs; and
WHEREAS, such funds will be automatically deposited in the project account,
THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby
authorizes the Town Supervisor to sign and submit such paperwork as is necessary to receive said
funds in the amount of \$7,529.80 for Requisition No.3.

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 Merrill reported that Scott O'Brien has been working on the Mobile Office Unit replacing sheet rock and framing; he has also bleached the floors and old mold spots; we have received a quote from Endwell Rug for the purchase and installation of flooring to the new office building at 6292 River Road in the amount of \$10,750.00. Board discussed

NO.109-2022 12/07/22 Accept Quote of Endwell Rug Company

Janet Champlin made the following resolution:

WHEREAS, Rug Fair Commercial & Industrial Co, Inc a division of Endwell Rug Company has submitted a quote to furnish and install Vinyl Flooring to the new Town Office Unit located at 6292 River Road for a total of \$10,750.00; and

WHEREAS, the Town Board of the Town of Colchester hereby accepts said Quote in the amount of \$10,750.00 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 Rug Fair Commercial & Industrial Co, Inc a division of Endwell Rug Company.

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

Supervisor reported that Endwell Rug has also suggested as an add-on, that they would supply and install Integra Ply ¼ Birch Subflooring & Patch Seams at an estimated cost of \$4,725.00. Supervisor has talked with Scott O'Brien and he has stated that he can get 68 sheet of plywood for about 1,500 and his labor for about 1,360 for a savings of 1,865. Board discussed.

NO.110-2022 12/07/22 Subflooring Agreement

Janet Champlin made the following resolution:

WHEREAS, the Town Board of the Town of Colchester deems it necessary to have a subfloor on the new office building;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to purchase 68 sheets of plywood;

FURTHER RESOLVED that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to enter into agreement with Francis Scott O'Brien to install a plywood subfloor to the new office building located at 6292 River Road, Downsville.

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

Supervisor reported that we have had a couple of issues at the Transfer Station with the new compactor; it has kicked off a couple of times and not restarted; the electrician has instructed TS Supt. Ken Kipp of what to do; it has seemed to fix the problem and is working well. Councilman Lavorgna reported that TS Supt Kipp has stated that there have not been many complaints and he is willing to help when needed.

Supervisor Merrill commented that we need to advertise for the Organizational Meeting and decide what time our meetings are going to be held. Board discussed.

NO.111-2022 12/07/22 Organizational Meeting

Julie Markert made the following resolution:

RESOLVED, that pursuant to the Open Meeting Law, (Public Officers Law, Article 7) that the Town of Colchester Town Board will hold its Organizational Meeting on Wednesday, January 04, 2023 at 5:00PM at the Town Hall, 72 Tannery Road, Downsville, New York;

BE IT FURTHER RESOLVED, that the regular meeting be held immediately following the Organizational Meeting.

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

Supervisor reported that we have received a Letter of Understanding from Mostert, Manzanero & Scott, LLP Certified Public Accountants of 4 Associate Drive, Oneonta, New York to provide the 2022 Audit for the Town of Colchester at an estimated fee of \$11,950.00; this is an increase of \$200 from last year; they have been performing the Town's Audit for the last twenty-six years; this is not required but since we have had FEMA projects and other grant programs, it is in our best interest to have an outside audit. Board discussed.

NO.112-2022 12/07/22 Mostert, Manzanero & Scott LLP 2022 Audit

Upon recommendation from the Supervisor, Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorize Supervisor Arthur M. Merrill to sign the Letter of Understanding with Mostert, Manzanero & Scott, LLP Certified Public Accountants of 4 Associate Drive, Oneonta, New York to provide the 2022 Audit for the Town of Colchester at an estimated fee of \$11,950.00.

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

Supervisor submitted suggestions of wages for 2023; we will adopt these at the Organizational Meeting on Jan 4th. Board reviewed and discussed. Minimum wage will be \$14.20, an increase of \$1.00; Board agreed with recommendations. Board agreed to terminate the position of CFWD Meter Reader.

Supervisor Merrill made the following announcements:

- Next Regular Meeting is Wed., December 21st at 5PM.
- Town Hall Offices Closed Monday, Dec. 26th Christmas
- Town Clerk's Office Closing at 12:30PM each Friday.

Supervisor Merrill reported that we need to amend our resolution when we hired Lucas Elmore as a Part-time Police Officer. Board discussed.

NO.113-2022 12/07/22 Re-Appoint Lucas J. Elmore as Part-time Police Officer

Janet Champlin made the following resolution:

WHEREAS, on November 16, 2022 the Town Board of the Town of Colchester appointed Lucas J. Elmore as a Part-Time Police Officer; and

WHEREAS, Lucas J. Elmore is working for the Delaware County Sheriff's Office and has passed the Police Officer Exam for Delaware County Residents, placing him on the Civil Service List;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby requests that we be able to hire Lucas J. Elmore as a Competitive Permanent Part-time Police Officer and hereby authorizes Supervisor Arthur M. Merrill to complete the required Delaware County Personnel form, which removes Lucas J. Elmore from the Delaware County Certified Civil Service Police Officer Certification of Eligible List as a competitive permanent part time police officer.

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

SUBMISSION OF BILL/EXPENSES: Julie Markert 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. 21-2022 Voucher No.654-693; Totaling \$33,529.21.

Andrew Mattson entered the meeting; Board suggested that they have documentation from landowners giving permission to be on their property with snowmobiles; and that the Supervisor will be contacting our Town Attorney on the steps to amend our local law.

Julie Markert made the motion to go into executive session to discuss a personnel issue, seconded by Janet Champlin, all in favor, motion carried. Board entered executive session at 5:52 PM. Town Clerk was invited to stay. Board held discussion. Julie Markert made the motion to enter back into regular session, seconded by Janet Champlin, all in favor, motion carried. Board entered regular session at 5:58 PM. Board made no decision forthcoming.

With no further business, Janet Champlin made the motion for adjournment, seconded by Julie Markert, all in favor, motion carried. Meeting adjourned at 5:58 PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk