

December 05, 2018

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, December 05, 2018 at 7:00 PM at the Town Hall.

Present:	Arthur M. Merrill	Supervisor
	Julie A. Markert	Councilwoman
	Gregory L. Lavorgna	Councilman
	Janet L. Champlin	Councilwoman
Absent:	Mark W. Mattson	Councilman
Recording Secretary:	Julie B. Townsend	Town Clerk
Others present: Kenneth R. Eck, Jr.-Highway Supt., Michael DeGroat-Town Attorney, Bonnie Seegmiller, Alan Donner and Gene & Ruth Wilhowsky.		

The Meeting was called to order by Supervisor Arthur M. Merrill and led the group in the Pledge of Allegiance.

The minutes of the Budget Public Hearing of November 07, 2018 and the last regular meeting, November 07, 2018 had been distributed earlier. Greg Lavorgna made the motion to accept the minutes as written, seconded by Julie Markert, Janet Champlin -aye, Julie Markert-aye, Greg Lavorgna-aye, Arthur Merrill-aye, Mark Mattson-absent, motion carried.

**VISITOR COMMENTS:** Ruth Wilhowsky inquired to the number of delinquent water bills for the Downsville Water District; 45 or 69? Water Clerk replied that 69 was the total number due, 45 was the first list of delinquent. Supervisor replied that if the delinquent are not paid by October 31<sup>st</sup> then they go to the County to be added to the tax bill. County pays the water district and if taxes are not paid then it goes to the County foreclosure process. Town Attorney explains that the district must follow state statutes.

**CORRESPONDENCE:**

- James S. Moore Post 167 American Legion- presented Supervisor Merrill with a Certificate of Appreciation to the Town of Colchester for outstanding service and assistance. Also an 100<sup>th</sup> Anniversary of the American Legion Coin was presented.
- CWC- Notice of Preliminary Decisions – Resolution No. 3439- approved annual Catskill Fund for the Future funding in an amount not to exceed \$35,000 for the NYC Reservoir Recreational Boating Program, including the Pepacton Reservoir.
- Michael Martin- No longer writing for “The Reporter”; this saddens him as from the first meeting he attended he felt acceptance, friendship and a sense of community; your Town, your community is a vibrant place; citizens seem to care and participate.

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

- Cooks Falls Water District- November 2018- 7 customers balance due \$350.00; Receipts of \$310.00 disbursed to Supervisor. 14 Customers re-levy to the 2019 County Tax Bills in the amount of \$3,101.50.
- Downsville Water District- November 2018- 13 customers balance due \$1,769.45; Receipts of \$2,889.34 disbursed to Supervisor. 25 Customers re-levy to the 2019 County Tax Bills in the amount of \$7,626.72.
- Town Clerk- November 2018- Total disbursed \$1,730.01 of which \$1,697.01 was Town revenues.
- Police- November 2018 Activity Report.
- Town Justice DeRosia- October 2018 and November 2018.
- Town Justice Edel- November 2018.

Supervisor Merrill reported that Ryder Construction is working on the Cooks Falls Garage.

Supervisor reported that we are waiting on NYSEG to hook-up the EV Charging Station.

Supervisor Merrill reported that Principle Design & Engineering has supplied us with drawings for the Walking Bridge over Downs Brook; the Board will review after the meeting.

Supervisor reported that we have been approved for the Tiffany Hollow NFPP Grant- Gregory Hollow Road Culvert Replacement project.

Supervisor Merrill reported that last month the Board agreed that the health insurance buy-out would be \$2,000 for Single and \$4,000 for Family; for 2018 it was 20% of the premiums (\$5,600-5,700 for Family). Board held discussion. Greg Lavorgna made the motion to make the family buy-out \$5,000, Supervisor commented that he could second the motion, but with everyone's comments we would be at a tie 2-2; we will wait until all Board Members are present.

Supervisor Merrill reported that the five year term of Bill Beers on the Board of Assessment Review ended Sept. 30<sup>th</sup>; we have spoken with Mr. Beers and he is willing to be re-appointed. Board discussed.

NO.114-2018 12/05/18      Appoint William Beers to Board of Assessment Review

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

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby re-appoints William H. Beers Jr. of 2 Morton Hill Road, Roscoe, New York to the Board of Assessment Review for the term of 10-01-2018 to 09-30-2023.

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

Supervisor reported that we need to set the date for the Organizational Meeting and post it in the newspaper. Board discussed and agreed to hold on regular meeting date, January 2<sup>nd</sup>.

NO.115-2018 12/05/18      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 02, 2019 at 7:00 PM 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 seconded by Janet Champlin, Janet Champlin-aye, Greg Lavorgna-aye, Julie Markert-aye, Arthur Merrill-aye, Mark Mattson-absent, resolution declared adopted.

Supervisor Merrill reported that Barnyard Refrigeration's Contract for Evacuation & Disposal of Refrigerants ended Sept. 30<sup>th</sup>; they have agreed to renew at same price for another two years. Board discussed.

NO.116-2018 12/05/18      Contract for Evacuation & Disposal of Refrigerants

Greg Lavorgna made the following resolution:

BE IT RESOLVED that the Town Board of the Town of Colchester hereby approves the renewal contract of Barnyard Refrigeration for the evacuation and disposal of refrigerants in units containing such at a sum of \$7.00 (seven dollars) per unit for the term of October 1, 2018 to September 30, 2020 and hereby authorizes Supervisor Arthur M. Merrill to sign said contract.

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

Supervisor reported that Mostert, Manzanero & Scott have contacted us stating that the 2018 Audit would cost \$10,900 for them to continuing auditing for the Town. Board discussed.

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 2018 Audit for the Town of Colchester at an estimated fee of \$10,900.00.

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

Supervisor Merrill made the following announcements:

- Town Clerk's Office Closed on Friday, Dec. 7<sup>th</sup>
- Employee Health Insurance Meeting Tues., Dec. 11<sup>th</sup> at 6PM
- Next Regular Board Meeting Wed., December 19<sup>th</sup> at 7PM
- Code Enforcement Office Closed Dec. 13 through Dec. 25<sup>th</sup>
- Town Clerk's Office Closed Monday, Dec. 24<sup>th</sup> through Wednesday, Dec. 26th
- Town Clerk's Office Closing at Noon Monday, Dec.31<sup>st</sup>

Board held discussion on snow shoveling.

Councilman Lavorgna inquired about a light pole at the American Legion Hall? Supervisor replied he had not talked with MTC regarding a pole.

Councilman Lavorgna inquired about the solar lights for the Cooks Falls Court House? Highway Supt. replied that they have been ordered.

Councilwoman Champlin commented what a great job was done on Depot Street by the Highway Dept. She thanked them and also commented that her bus run has had great maintenance on it.

Town Attorney inquired if the Roscoe-Rockland Fire Dept. or Fire District asked for a letter of support for their incorporation? Supervisor replied it was the Fire Dept.

Janet Champlin made the motion to go into executive session to discuss salary negotiations and highway personnel, seconded by Greg Lavorgna, Janet Champlin-aye, Greg Lavorgna-aye, Julie Markert-aye, Arthur Merrill-aye, Mark Mattson-absent, motion carried. Board entered executive session at 7:44 PM. Town Attorney and Highway Supt. Were invited to stay. Board held discussion. Janet Champlin made the motion to enter back into regular session, seconded by Greg Lavorgna, Janet Champlin-aye, Greg Lavorgna-aye, Julie Markert-aye, Arthur Merrill-aye, Mark Mattson-absent, motion carried. Board entered regular session at 8:22 PM. After a short discussion the Board paid the bills and made the following three resolutions.

**SUBMISSION OF BILL/EXPENSES:** Greg Lavorgna made the motion, seconded by Julie Markert, that the vouchers be approved, subject to any corrections or deletions, Janet Champlin-aye, Greg Lavorgna-aye, Julie Markert-aye, Arthur Merrill-aye, Mark Mattson-absent, motion carried. Abstract No.20-2018 Voucher No.614-666; Totaling \$394,472.34.

Greg Lavorgna made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorize Highway Supt. Kenneth Eck to advertise that the Town of Colchester is seeking applications for Heavy Equipment Operator for part-time & full-time positions.

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

NO.119-2018 12/05/18 Call-in Temporary Help for Removal of Snow & Ice

Janet Champlin offered the following resolution:

WHEREAS, it has been the policy of the Town of Colchester Highway Department, in conjunction with the Town Board of the Town of Colchester, to hire temporary help on a call-in basis to assist with the removal of snow and ice from the Town of Colchester Highways;

THEREFORE, BE IT RESOLVED that the Superintendent of Highways for the Town of Colchester, be authorized to hire Brandon L. Early as a Part-Time Highway Employees at an hourly rate of \$13.00 per hour with no benefits pending verification of a current NYS Commercial Driver's License, free of Motor Vehicle convictions and approval by the Town of Colchester's Insurance Agency;

BE IT RESOLVED, that this policy be made effective immediately for the duration of the 2018-2019 winter season, by order of the Town Board of the Town of Colchester dated this 5<sup>th</sup> day of December, 2018.

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

NO.120-2018 12/05/18 Hire Nathan D. Homovich as a Part-time Highway Employee

Julie Markert made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes the provisional appointment of Nathan D. Homovich of 40 Albright Lane, Downsville, New York as a Town of Colchester Part-time Highway Employee at a pay rate of \$13.00 per hour with no benefits, effective immediately, assignments and duties at the discretion of the Highway Superintendent;

FURTHER RESOLVED, the permanent employment of Nathan D. Homovich is pending upon receiving his CDL license within six months of hire date.

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

With no further business, Julie Markert made the motion for adjournment, seconded by Janet Champlin, Janet Champlin-aye, Greg Lavorgna-aye, Julie Markert-aye, Arthur Merrill-aye, Mark Mattson-absent, motion carried. Meeting adjourned at 8:26 PM.

Respectfully Submitted:

Julie B. Townsend  
Town Clerk