

January 15, 2020

A Public Hearing was held by the Town Board of the Town of Colchester, Delaware County, New York on Wednesday, January 15, 2020 in the Town Hall, 72 Tannery Road, Downsville, New York at 7:00PM for the purpose of hearing the public's comments regarding a State Environmental Quality Review for the Getaway Roscoe, LLC Miller Hollow Campground located at 26 Miller Hollow Road. The Town as Lead Agency has prepared an Environmental Assessment Form. Proof of Notice having been furnished, the Public Hearing was called to order by Supervisor Arthur M. Merrill.

Present:

Arthur M. Merrill	Supervisor
Mark W. Mattson	Councilman
Julie A. Markert	Councilwoman
Gregory L. Lavorgna	Councilman
Janet L. Champlin	Councilwoman
Julie B. Townsend	Town Clerk

Recording Secretary:

Others present: Kenneth R. Eck, Jr.-Highway Supt., Michael DeGroat-Town Attorney, Vicky Klukkert-The Reporter, Jeff Francisco-Delaware Engineering, Sam Morton-Getaway House, Bonnie Seegmiller, Alan Donner, Larry Guglielmo and Rob Hafele.

Jeff Francisco of Delaware Engineering, PC was representing Getaway Roscoe, LLC and stated that comments were received from NYS Ag & Markets, NYSDEC, NYS Parks, Recreation, & Historic Preservation and NYCDEP, with no objections or concerns.

Sam Morton, Lead Contractor Manager of Getaway House reported that there will be 38 units year round; each unit is a custom trailer on axle; RV certified; 120 sq. ft.; with full bath and a small kitchenette; each unit will be 100-150ft apart for privacy; in 2015 they started their first site along the Eastern Boarder to have people connect with nature; there will be no internet connections for the units; a full septic system will be installed.

No one spoke in favor of the Miller Hollow Campground Project.

No one spoke against of the Miller Hollow Campground.

All persons desiring to be heard, having been heard, Supervisor Arthur M. Merrill declared the Public Hearing closed at 7:10 PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk

January 15, 2020

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, January 15, 2020 immediately following Public Hearing at 7:11 PM at the Town Hall.

Present:

Arthur M. Merrill	Supervisor
Mark W. Mattson	Councilman
Julie A. Markert	Councilwoman
Gregory L. Lavorgna	Councilman
Janet L. Champlin	Councilwoman
Julie B. Townsend	Town Clerk

Recording Secretary:

Others present: Kenneth R. Eck, Jr.-Highway Supt., Michael DeGroat-Town Attorney, Vicky Klukkert-The Reporter, Jeff Francisco-Delaware Engineering, Bonnie Seegmiller, Alan Donner, Larry Guglielmo and Rob Hafele.

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

The minutes of the Organizational Meeting, January 02, 2020 had been distributed earlier. Janet Champlin made the motion to accept the minutes as written, seconded by Julie Markert, all in favor, motion carried. The minutes of the last regular meeting, January 02, 2020 had been distributed earlier. Greg Lavorgna made the motion to accept the minutes as written, seconded by Mark Mattson, all in favor, motion carried.

GUESTS: Jeff Francisco of Delaware Engineering presented a packet for the Board to review regarding the Getaway Roscoe, LLC Miller Hollow Campground Project located at 26 Miller Hollow Road. On November 20, 2019 the Town Board was designated as Lead Agency for the Getaway Roscoe, LLC Miller Hollow Campground Project and Part 1 of the SEQR Review was reviewed; Part 1 has been approved; now we must review Part 2 and Part 3. Board discussed.

NO. 11-2020 01/15/20 Miller Hollow Campground SEQR Review

Julie Markert made the following resolution:

WHEREAS, the Town of Colchester, as lead Agency, has conducted a coordinated review pursuant to Article 8 (State Environmental Quality Review Act- SEQR) and in accordance with 6NYCRR Part 617 for this Unlisted Action project, and has prepared and circulated a Full Environmental Assessment Form (FEAF) to other involved agencies including, NYSDEC, NYSDOH, NYSDEC Division of Fish, Wildlife & Marine Resources, and NYS Office of Parks, Recreation and Historic Preservation (SHPO), Delaware County Planning Dept., NYCDEP and USACOE; and

WHEREAS, the Town has received and is responding to comments received from NYSDEC, NYS Ag & Markets, NYS Parks, Recreation, & Historic Preservation and NYCDEP; and

WHEREAS, the Town held a public information meeting on January 15, 2020 regarding the project at which time no comments were received, nor have any comments been received in writing since that time, except those from NYSDEC, NYS Ag & Markets, NYS Parks, Recreation, & Historic Preservation and NYCDEP; and

WHEREAS, the project scope does not appear to have any adverse environmental impacts based upon Town determination or comments received to date from other involved or interested agencies; and

WHEREAS, the Town needs to render a SEQR determination; and

WHEREAS, the Town believes that the requirements of the state environmental review process (6NYCRR Part 617) have been met;

THEREFORE, the Town Board of the Town of Colchester hereby resolves that, to the best of their knowledge:

1. The requirements of 6NYCRR Part 617.11 have been met; and
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable by incorporating conditions to the decision those mitigating measures that were identified as practicable; and
3. (if applicable) Consistent with the applicable policies of Article 42 of the Executive Law, as implemented by 19NYCRR Part 600.5, this action will achieve balance between the protection of the environment and the need to accommodate social and economic considerations; and
4. The project will not result in any large or important impact(s) and, therefore, is one which will not have a significant impact on the environment, and therefore a negative declaration will be prepared.

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, Mark W. Mattson	voting aye

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

Jeff Francisco of Delaware Engineering reported that Contract TC1-G-2017 for the Downsville Water System Improvement Project has been signed by all parties; Richard W. Wakeman, Inc. is not MWBE complaint; they are trying to find a subcontractor who meets those qualifications; can get a waiver if no one is found.

VISITOR COMMENTS: none

CORRESPONDENCE:

- Del. Co. DPW- They received complaint that the light in the Downsville Covered Bridge is out, Not County's responsibility.
- Gene & Ruth Wilhowsky- Registered letter to Town Clerk and Hwy Supt.- Request that Colchester Township take action to address dangerous road conditions on Money Point Road by installing a guard rail; this is noted as Written Notice of Defect No. 01-2020; it has been turned over to the Hwy Supt. to investigate.

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

- Cooks Falls Water District-2019 Annual Report.
- Downsville Water District- 2019 Annual Report.
- Town Clerk- 2019 Annual Report.
- Police- 2019 Annual Activity Report.
- Town Justice DeRosia- December 2019.
- Town Justice Edel- December 2019.

Supervisor Merrill reported that Delaware Opportunities have stated that there are 16 projects in the process for our CDBG #260HR301-18 Program.

Supervisor reported that the bid packet is ready for the Downsville Paddle Park Project; a pre-bid meeting is scheduled for January 27th at 11am; bids are due at Noon on March 31st; MWBE is also a qualification for this project.

Town Attorney Michael DeGroat reported that he was willing to hold a workshop to draft a resolution regarding the 2nd Amendment Sanctuary Township; he wants to make sure we do not violate our Oath of Offices. Board Members are not pursuing this any further.

Supervisor Merrill reported that he has been speaking with Larry Underwood regarding the Downs Brook Project.

Supervisor reported that he has not spoken with DWD Water Plant Operator Ron MacDonald in widening his job title.

Supervisor Merrill reported that the Town Attorney has drafted "Rules of Conduct and Decorum Town of Colchester Town Board Meeting Rules"; Law does not require visitor in-put; meetings must be held in public and the public can video meetings; it is encouraged to have visitor comments, but we may limit them to three minutes; it's always good to hear both sides. Supervisor suggested that the Board Members review and email comments to the Town Attorney; we will discuss this further at the next meeting.

Supervisor reported that the Town Board has completed the 2019 Audits for the Cooks Falls Water District, Downsville Water District, Town Clerk and Town Justice Edel; Town Justice DeRosia 2019 Audit is schedule for tomorrow. ***Town Clerk has verified that TJ DeRosia 2019 Audit was completed on 01-16-2020.***

Supervisor Merrill reported that we have received a Public Facility Permit Application to use the Downsville Covered Bridge Park on Sat., June 6th for a wedding. Board discussed.

NO. 12-2020 01/15/20 Public Facility Permit No.01-2020

Julie Markert made the following resolution:

WHEREAS, Ashley Bivens and John Wall have applied for a Public Facility Permit to use the Downsville Covered Bridge Park located at 48 Bridge Street, on Saturday, June 6th from 1:00PM to 4:00PM for their wedding 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.01-2020 to Ashley Bivens and John Wall for the use of the Downsville Covered Bridge Park located at 48 Bridge Street, Downsville, NY on June 06, 2020.

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

Supervisor reported that the Revocable License Agreements with Downsville Central School, Downsville Firemen and Mark Butcher need to be renewed; these agreements are for the use of land for the River Walk Project. Board discussed.

NO. 13-2020 01/15/20 Renew Revocable License and Land Lease Agreements

Greg Lavorgna made the following resolution:

WHEREAS, the Town of Colchester wants to continue the Colchester Recreational Fitness Trail and Riverwalk; and

WHEREAS, the renewal dates is upon us for the Revocable License Agreement with Downsville Central School and the Land Lease Agreement with the Downsville Fireman's Corporation and with Mark Butcher;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the five year renewal of the Revocable License Agreement with Downsville Central School and the Land Lease Agreement with the Downsville Fireman's Corporation and with Mark Butcher;

FURTHER RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to sign all said agreements.

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

Supervisor Merrill reported that the Cooks Falls Court is having problems with their check depositing machine; due to the Windows 10 update this machine is not compatible with their computer that is supplied by NYS Unified Court System; their computer needs to be updated to Windows 10 and it may take 6-12 months to get a replacement; deposits need to be made within 72 hours and especially in the winter months it is harder to get to Downsville's Community Bank than it is to Roscoe's Wayne Bank; Town Justice DeRosia would like to open an account at Roscoe's Wayne Bank. Board discussed.

NO. 14-2020 01/15/20 Designate Wayne Bank as Depository for Town Justice DeRosia

Janet Champlin made the following resolution:

BE IT RESOLVED that the Town of Colchester's Financial Policy shall be amended to state that Wayne Bank located at 56 Stewart Avenue, Roscoe, NY 12776 be designated as the depository of the Cooks Falls Justice Court funds if deemed necessary.

Resolution was seconded by Mark Mattson, all in favor, resolution declared adopted.

Supervisor Merrill made the following announcements:

- Town Hall Offices Closed Monday, January 20th- Martin Luther King Jr. Day
- Next Regular Meeting Wed., February 5th at 7PM

Councilman Lavoragna inquired about the status of Truck #116, 2012 Dodge? Hwy Supt Eck replied that Robert Green is putting in a new engine, they are paying for it; should have it back with 30days. Hwy Supt reported that we have received the 2019 Freightliner.

Councilwoman Markert stated that since we have started a new year, how is the status of the Police Budget and schedule, overtime at a minimum? Supervisor replied that the Full-time Officers have inquired about comp-time instead of overtime; part-time officers would cover at lesser pay; more information will be supplied at the next meeting.

SUBMISSION OF BILL/EXPENSES: Janet Champlin made the motion, seconded by Mark Mattson, that the vouchers be approved, subject to any corrections or deletions, all in favor, motion carried. Abstract No.02-2020 Voucher No.26-73; Totaling \$165,339.23.

Julie Markert made the motion to go into executive session to discuss a personnel issue, seconded by Mark Mattson, all in favor, motion carried. Board entered executive session at 7:48 PM. Town Attorney was invited to stay. Board held discussion. Greg Lavorgna made the motion to enter back into regular session, seconded by Janet Champlin, all in favor, motion carried. Board entered regular session at 8:02 PM. Board made no decision forthcoming.

With no further business, Mark Mattson made the motion for adjournment, seconded by Julie Markert, all in favor, motion carried. Meeting adjourned at 8:02 PM.

Respectfully Submitted: Julie B. Townsend, Town Clerk