

February 02, 2020

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, February 05, 2020 at 7:00 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, Officer Ernest Cawley, Bonnie Seegmiller, Alan Donner, Mary Brawley-Fuat, Larry Guglielmo, Rob Hafele and Dan & Nancy Shaw.

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

The minutes of the Public Hearing of January 15, 2020 had been distributed earlier. Janet Champlin made the motion to accept the minutes as written, seconded by Mark Mattson, all in favor, motion carried. The minutes of the last regular meeting, January 15, 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.

**GUESTS:** Jeff Francisco of Delaware Engineering reported that things are moving along with the Downsville Water System Improvement Project DWSRF #17537: Contract #TC1-G-2019 with Richard W. Wakeman, Inc.; he asked Supervisor Merrill the status of the packet to NYSEFC. Supervisor replied that he will look at it again and contact Jeff if he needs anything.

**VISITOR COMMENTS:** Dan Shaw stated that he was here to make an official complaint that Supt. Ken Eck has failed to uphold his contract with the Gregory Hollow Road Culvert Replacement Project (Tiffany Hollow NFPP Grant); he was promised a safe driveway; farm equipment cannot use driveway; water into the driveway; needs to slope away from the barn; any rain storm we have problems; he has contacted his lawyer and if not corrected legal action will be taken. Supervisor replied that he thought it was corrected; we will try to address this as soon as we can; we will discuss this later in meeting.

**CORRESPONDENCE:**

- Selective Insurance Co of America- Receipt of Claim No.22076495- Truck#155, 2011 Chevrolet caught on fire 1/26/2020 and was destroyed.
- NYSDOH- Monitoring Notice-2020 for Cooks Falls Water District; 6 sampling results not received for 2019.
- NYSDOH- Monitoring Notice-2020 for Downsville Water District; 7 sampling results not received for 2019.
- NYS Homes & Community Renewal- Grant Agreement 12-Month Completion Notice for NYS CDBG Project#260HR301-18; after Jan 25, 2021, any unspent grant funds will be immediately turned over to the Housing Trust Fund Corp.
- Adirondack-Appalachian Regional Emergency Medical Services Council- Stamford Joint Fire District seeking to provide Advanced Life Support services in the territory of that district; comment deadline is Feb 09, 2020.

- Adirondack-Appalachian Regional Emergency Medical Services Council- New York Safety Track in Davenport, seeking to establish an ambulance service, with their primary operating territory to be solely on the property of the track; comment deadline is Feb 09, 2020.

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

- Cooks Falls Water District- January 2020- 20 customers balance due \$1,055; Receipts of \$3,210.01 disbursed to Supervisor.
- Downsville Water District- January 2020- 70 customers balance due \$4,912.88; Receipts of \$5,858.50 and \$5,558.38 disbursed to Supervisor.
- Town Clerk- January 2020- Total disbursed \$709.01 of which \$678.01 was Town revenues.
- Police- January 2020 Activity Report.
- Town Justice Edel- January 2020.
- Code Enforcement Officer- 2019 Annual Report of Code Enforcement Activities.

Supervisor Merrill reported that we need to make a request for funds for the Downsville Water District Improvement Project, DWSRF D0-17537 in the amount of \$7,797.48. Board discussed.

NO. 15-2020 02/05/20 DWSRF 17537 Requisition No. 1

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 \$7,797.48 for Requisition No.1.

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, Julie A. Markert	voting aye
Councilperson, Mark W. Mattson	voting aye
Councilperson, Gregory L. Lavorgna	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 meeting with Soil & Water next week regarding the Down Brook Project.

Supervisor Merrill asked the Board for comments on the Town Board Meeting Rules; Board had no comments; we will adopt a resolution next meeting on Rules of Conduct and Decorum.

Supervisor reported that all the 2019 Town Board Audits have been completed. Our Auditors, Mostert, Manzanero & Scott LLP were here Jan. 30<sup>th</sup> & 31<sup>st</sup> for our 2019 Audit.

Supervisor reported that the security cameras have been installed at the Cooks Falls Garage/Court building; next they will install the program on the Police Computer so they can monitor; it will be on a 30-day loop; we will then need to consider what building to do next.

Supervisor Merrill reported that we need to cover our expenses of \$467,653.33 on FEMA Projects; last year we did a transfer from the Repair Reserve Fund in the amount of \$350,000; we have not received reimbursement from FEMA nor have we received our Tax Money; we need to transfer \$100,000 now to cover our expenses; once we receive the reimbursements we will pay back the transferred amounts. Highway Supt. Eck reported that FEMA has changed their system; no Blue Book and everything is done electronically now. Board discussed.

NO. 16-2020 02/05/20 Transfer \$100,000 from Repair Reserve Fund

Mark Mattson made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to transfer the sum of \$100,000 from Repair Reserve Fund to the Highway Tax Account to use for on-going FEMA Projects;

FURTHER RESOLVED, that once FEMA reimbursements have been made, said reimbursements will be deposited into the Repair Reserve Fund.

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, Mark W. Mattson	voting aye
Councilperson, Gregory L. Lavorgna	voting aye

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

Supervisor Merrill made the following announcements:

- Town Hall Offices Closed Monday, February 17<sup>th</sup>-Presidents' Day
- Next Regular Meeting Wed., February 19<sup>th</sup> at 7PM

Councilwoman Markert stated that the street lights have all been changed to LED lights. Supervisor added that we signed up for these two years ago and paid for the project last year; all street lights should be working now; NYSEG was charged a commercial rate for the charging station, hopefully this will change and our bills will go down.

Councilwoman Markert inquired to the status of the Cooks Falls Garage Project; when will he be done? Hwy Supt Eck replied that there is the outside to do; the highway dept. will be doing the painting and lights need to be plugged in.

Councilman Mattson inquired to the status of the County DPW Building. Supervisor replied that at the next County Board of Supervisors' meeting, the committee is submitting 4 sites for review.

Councilwoman Champlin reported that see went to a Firemen's Commissioner meeting; they would like to know who is responsible for the maintenance for the fire hydrants? Supervisor replied that the water dept. is responsible. Councilwoman Champlin stated that there is a list of hydrants that need repairs; the Commissioners would also like a copy of their water contract. Supervisor replied that he has not seen a contract. Supervisor added that in the past the fire dept. was flushing hydrants, DWD WPO MacDonald is doing them now.

**SUBMISSION OF BILL/EXPENSES:** Mark Mattson 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.03-2020 Voucher No.74-106; Totaling \$92,911.49.

Greg Lavorgna made the motion to go into executive session to possible litigation and personnel issues, seconded by Mark Mattson, all in favor, motion carried. Board entered executive session at 7:34 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 Mark Mattson, all in favor, motion carried. Board entered regular session at 8:05 PM. Board made no decision forthcoming.

With no further business, Greg Lavorgna made the motion for adjournment, seconded by Julie Markert, all in favor, motion carried. Meeting adjourned at 8:05 PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk