

May 04, 2022

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, May 0, 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  
Daniel J. Pinner Councilman  
Recording Secretary: Julie B. Townsend Town Clerk  
Others present: Kenneth R. Eck, Jr.-Hwy Supt., Colleen Griffith, Brett Reed 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, April 20, 2022 had been distributed earlier. Councilman Lavorgna stated that Katie Brock did not call him back, so he did not refer her to NYSDEC. Julie Markert made the motion to accept the minutes as written with noted correction, seconded by Greg Lavorgna, all in favor, motion carried.

**GUEST COMMENTS:** Code Enforcement Officer Rich Hascha stated that he took office on Jan. 01, 2022; there were written complaint items on the docket before he got here; some items were corrected before the first of the year; in February 2022 the Town got an email from NYS Division of Building Standards & Codes inquiring about the complaint list; we replied that waiting for Spring and better weather; recently he received an email from NYSDBS&C Oversight Unit to see how we were coming on the list of complaints that were issued last year; the complaints that were filed were regarding junk vehicles/derby cars, paint on houses, garbage and clutter on porches, just to name a few; NYS would like us to issue violations and then fines; CEO Hascha recently visited a few home owners and talked with them and some were willing to take care of vehicles once the price of scrap metal was better; others stated that derby cars and racing cars are their hobby and livelihood; NYS Codes allows one unregistered vehicle on property; now that NYS is involved we must continue addressing the complaints. Board and CEO held discussion. Board stated that they support the CEO and the job he is doing.

**VISITOR COMMENTS:** Brett Reed stated that his family for many generations have had the hobby of motor sports and racing derby cars; he feels that he is an accountable person and takes pride in his property; our local Fire Dept benefits from having their annual derby car races and the event also benefits our local businesses; he may race one or two cars, but may have many other cars just for parts; he feels that he is being harassed.

**CORRESPONDENCE:** none

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

- Cooks Falls Water District- April 2022- 33 customer balance due \$2,475.00; Receipts of \$2,610.02 disbursed to Supervisor.
- Downsville Water District- April 2022- 85 customers balance due \$8,989.95; Receipts of \$25,092.16 disbursed to Supervisor.
- Town Clerk- April 2022- Total disbursed \$3,362.00 of which \$3,321.00 was Town revenues.
- Police- April 2022 Activity Report.
- Town Justice Edel- \$4,674.00 reported for April 2022.
- Planning Board- Minutes of March 17, 2022.

Supervisor Merrill reported that the Water Clerk just turned in over \$25,000 to the DWD; Supervisor suggested that we payback the loan of \$15,000 that the General Fund loaned to the DWD to pay their payment to the USDA. Board discussed. Board asked if there was a time limit on the reimbursement from the DWSRF Grant funds; Supervisor replied that there is not a time limit; we held the CFWD Grant Project for many years; we are using loan portion of grant and are making our annual payments.

NO. 39-2022 05/04/22 DWD Payback Loan to Supervisor's General Fund

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; and

WHEREAS, on September 15, 2021, per Resolution No. 92-2021, the Town Board of the Town of Colchester authorized 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 \$15,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to payback the Supervisor's General Fund the said loan of \$15,000.00 from the Downsville Water District Fund.

Resolution was seconded by Dan Pinner.

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 reported that the Town's Attorney has reviewed the DWD Hookup Contract submitted to us by NYC DEP; he has sent his preliminary comments and revisions; hope to get some of this stuff ironed out soon and move on with project.

Board held a discussion regarding the Downsville Park Paddle Project. Highway Supt commented that the permit process is a nightmare.

Supervisor Merrill reported that the Mobile Office Unit is being delivered tomorrow.

Supervisor commented that he has asked Brian Ryder to give us estimates for roofing projects. Board discussed other projects at the transfer station and the American Rescue Plan. Supervisor added that a new proposal from Sebright Products for the compactor is being sent.

Supervisor Merrill asked if measurements have been taken for the pool pavilion. Councilwoman Champlin replied that she took outside measurements and the kiddie pool fence is 45'x27', so a 20'x12' pavilion with a shed roof (high side on the pool side) should work well for shade.

Supervisor reported that Colleen Griffith has been working on getting the EV Charging Station up and running and has a presentation for us to review. Ms. Griffith presented handouts including status information, estimated costs per kwh, a quote from ChargePoint, Inc and a proposed Town Policy. It was explained that there was a maintenance issue with the phasing out of the 3g modems; we have purchased new 5g modems for a cost of \$365.00; JayTeks needs to install and submit his voucher; we need to upgrade our software system; ChargePoint, Inc has submitted a quote for 1yr, 3yr and 5yr plans; it was presented that the utility cost of \$2.03 per 2/kwh and Cloud Point cost of 0.36 per 2/kwh for a total of \$2.39 Charge per 2/kwh; with estimated inflation the minimum we should charge is \$2.62 per 2/kwh. Board reviewed and discussed.

NO. 40-2022 05/04/22 ChargePoint, Inc. 5Year Contract

Julie Markert made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby accepts the quote of ChargePoint, Inc and hereby authorizes Supervisor Arthur M. Merrill to enter into a 5Year

Contract with ChargePoint, Inc for ChargePoint Cloud Plan and Assure Maintenance & Management;

BE IT FURTHER RESOLVED, that the Town Board of the Town of Colchester hereby agrees at this time, to have ChargePoint install a user charge at a rate of \$3.00 per 2/kwh to users of the Town's EV Charging Station.

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

Supervisor reported that Sarah Hood has been helping with our Web-Page; there is a voucher in tonight, but we should officially appoint her to this position as Coordinator. Board discussed.

NO. 41-2022 05/04/22 Appoint Sarah Hood Town Website Coordinator

Julie Markert made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby appoints Sarah Hood as the Town Website Coordinator at a rate of \$25.00 per hour with no benefits.

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

Supervisor Merrill reported that we have received four Public Facility Permit Applications. Broad reviewed and discussed.

NO. 42-2022 05/04/22 Public Facility Permit No.03-2022

Janet Champlin made the following resolution:

WHEREAS, Tim & Kathy Wilbur have applied for a Public Facility Permit to use the Downsville Covered Bridge Park located at 48 Bridge Street, on Saturday, May 14<sup>th</sup> from 1:00PM to 5:00PM for a Celebration of Life for Richard L. Wilbur, former Town of Colchester Superintendent of Highways;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the Town Clerk to issue Public Facility Permit No. 03-2022 to the Wilbur Family for the use of the Downsville Covered Bridge Park located at 48 Bridge Street,, Downsville, NY on May 14, 2022.

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

NO. 43-2022 05/04/22 Public Facility Permit No.04-2022

Janet Champlin made the following resolution:

WHEREAS, Josephine Runne on behalf of the Colchester Senior Citizens has applied for a Public Facility Permit to use the Pepacton Park located at 15500 State Hwy 30, on Thursday, June 16<sup>th</sup>, from 8:00AM to 8:00PM for parking approximately 20 cars for a bus trip to Lake George;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the Town Clerk to issue Public Facility Permit No. 04-2022 to the Colchester Senior Citizens for the use of the Pepacton Park located at 15500 State Hwy 30, Downsville, NY on June 16, 2022.

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

NO. 44-2022 05/04/22 Public Facility Permit No.05-2022

Dan Pinner made the following resolution:

WHEREAS, Josephine Runne on behalf of the Colchester Senior Citizens has applied for a Public Facility Permit to use the Pepacton Park located at 15500 State Hwy 30, on Thursday, July 7<sup>th</sup> from 8:00AM to 8:00PM for parking approximately 20 cars for a bus trip to Silver Birches in Hawley, PA;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the Town Clerk to issue Public Facility Permit No. 05-2022 to the Colchester Senior Citizens for the use of the Pepacton Park located at 15500 State Hwy 30, Downsville, NY on July 07, 2022.

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

NO. 45-2022 05/04/22 Public Facility Permit No.06-2022

Julie Markert made the following resolution:

WHEREAS, Carol Conklin on behalf of the Colchester Chamber of Commerce has applied for a Public Facility Permit to use the Downsville Covered Bridge Park located at 48 Bridge Street, on three Thursdays, June 30th, July 28<sup>th</sup> and August 25<sup>th</sup> from 4:00PM to 8:00PM for Covered Bridge Markets with craft vendors, live music and food;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the Town Clerk to issue Public Facility Permit No. 06-2022 to the Colchester Chamber of Commerce for the use of the Downsville Covered Bridge Park located at 48 Bridge Street, Downsville, NY on June 30th, July 28<sup>th</sup> and August 25<sup>th</sup> from 4:00PM to 8:00PM ,2022.

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

Supervisor reported that the Planning Board has made a recommendation to appoint Sam Carmody to fill one of the alternate member vacancies; Supervisor read letter and Board discussed.

NO. 46-2022 05/04/22      Appoint Sam Carmody Alternate Member of Planning Board  
Upon recommendation of the Planning Board Chair Greg Lavorgna made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby appointments Sam Carmody as an alternate member of the Planning Board with the term of 05/04/2022 to 12/31/2023.

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

Supervisor Merrill commented that we need to get the word out that we are seeking applications for summer help. Councilwoman Champlin commented that she will see that it gets announced at Downsville Central School. We should make sure it gets on Facebook.

Councilwoman Champlin commented that Senior Meals dining-in starts next Tuesday; they will also be making home deliveries. Free Dairy distribution on May 13<sup>th</sup>, must pre-register.

Supervisor Merrill made the following announcements:

- Next Regular Meeting is Wed., May 18th at 7PM.

Highway Supt Ken Eck submitted a quote from Tracey Road Equipment; we can not get a firm quote until we lock-in our order and delivery date. Board reviewed and discussed.

NO. 47-2022 05/04/22      2023 Freightliner 114SD with Plow and Wing

Janet Champlin made the following resolution:

BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes Highway Supt. Kenneth Eck to lock-in a price and delivery date to purchase a 2023 Freightliner 114SD with American/Everest Plow and Wing and Everest Stainless Steel Dump Body from Tracey Road Equipment of East Syracuse, New York.

Resolution was seconded by Dan Pinner.

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 reported that we are having a conference call with DASNY to review the status of our four \$50,000 grants and the \$100,000 grant for new truck within the next two weeks; we need to get things going and get grant funds.

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.08-2022 Voucher No.216-251; Totaling \$18,361.90.

With no further business, Greg Lavorgna made the motion for adjournment, seconded by Dan Pinner, all in favor, motion carried. Meeting adjourned at 9:07 PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk