

October 04, 2023

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, October 04, 2023 at 5:00 PM at the Town Hall.

Present: Arthur M. Merrill Supervisor
Janet L. Champlin Councilwoman
Julie A. Markert Councilwoman

Absent: Gregory L. Lavorgna Councilman

Absent: 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, Rebecca Mochel, Rob Hafele, James Noviello, Jeremy Jenkusky 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, September 20, 2023 had been distributed earlier. Janet Champlin made the motion to accept the minutes as written, seconded by Julie Markert, Janet Champlin-aye, Julie Markert-aye, Arthur Merrill-aye, Dan Pinner-absent, Greg Lavorgna-absent, motion carried.

VISITOR COMMENTS: James Noviello commented that he has spoken with the Town Attorney and a local law has been drafted designating town highways for travel by off highway vehicles; copies were submitted to the Town Board; town Attorney has stated that the Town cannot be involved with any Non-Profit Organization, the local ATV/UTV group cannot be involved or limit to just club members; The town would need to adopt local law and that would give law enforcement the authorization to enforce; any ATV/UTV/off highway vehicles would need to be registered/licensed and have insurance; James asked what is the next step. Supervisor replied that he would like the full Board to review and discuss the drafted local law, a public hearing will need to be scheduled and then the Town Board can adopt.

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

- Cooks Falls Water District- September 2023- 16 customer balance due \$1,945.00; Receipts of \$305.04 disbursed to Supervisor.
- Downsville Water District- September 2023- 34 customers balance due \$6,369.44; Receipts of \$945.34 disbursed to Supervisor.
- Town Clerk- September 2023- Total disbursed \$2,820.25 of which \$2,748.25 was Town revenues.
- Police- September 2023 Activity Report.
- Town Justice Edel- \$5,045.00 reported for September 2023.
- Planning Board- 08-17-2023 Minutes.
- Public Safety Building- Status Report as of 10/04/2023.

Supervisor Merrill reported that Ronnie MacDonald and Nate Homovich are reviewing the DWD Meter Installation Project.

Supervisor reported that concrete for the piers will be poured Friday at Pepacton Park; paving is completed and no public parking is allowed unless they have a Colchester Public Facilities Permit.

Supervisor Merrill reported that we have received the results for the Cooks Falls Water District Well, it has tested high for sulfur; contacting NYSDOH Oneonta Office for advisement; they want a second source of water for CFWD as a backup source.

Supervisor reported that Bid Proposal No.01-23 Fuel has been posted; bid opening is Wed., October 18th at 4PM; we will award at the meeting of October 18th.

Supervisor Merrill reported that a meeting was held with Kevin Morse of Kaatirondack Benefit Planning Inc.; there will be an increase of around 11% for health insurance for next year; the HRA usage rate is still saving us money. Board discussed.

NO. 74-2023 10/04/23 Excellus BC/BS Health Care Contract

Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby offers the Health Reimbursement Account (HRA) Option Excellus Blue Cross/Blue Shield SimplyBlue-Bronze 4 Health Care Plan administered by Lifetime Benefit Solutions for the Year 2024;

BE IT FURTHER RESOLVED, that it is the policy of the Town of Colchester that the Town will pay the full premium cost for full-time employees, with the exception of Members of the Teamsters Local Union No. 713, who contribute 6% of premiums; that the Town will pay for a single person plan for Full-Time Elected Officials, specifically, Town Supervisor, Town Clerk, and Superintendent of Highways; and if an elected official desires to purchase a health care plan through the Town as an elected employee, he/she shall be reimbursed 50% of a single person insurance premium;

FURTHER RESOLVED, that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to contact Kaatirondack Benefit Planning Inc. that the Town of Colchester hereby accepts the contract of Health Reimbursement Account (HRA) Option Excellus Blue Cross/Blue Shield SimplyBlue-Bronze 4 Health Care Plan for the Year 2024;

FURTHER RESOLVED that the Town Board of the Town of Colchester hereby authorizes Supervisor Arthur M. Merrill to deposit funds into the existing special HRA Health Spending Debit Card Account at Community Bank NA and hereby authorizes Lifetime Benefit Solutions with Electronic Withdrawals.

Resolution was seconded by Julie Markert.

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	absent
Councilperson, Julie A. Markert	voting aye
Councilperson, Daniel J. Pinner	absent

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 Clerk has presented the past due water bills and by law we need to take a resolution to add them to the property tax bills. Town Clerk added that everyone received a notice in their October billing that if not paid by October 31st their past due account would get added to the tax bill. Board discussed.

NO. 75-2023 10/04/23 Delinquent Water Bills Added to Property Taxes

Julie Markert made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby authorize Supervisor Arthur M. Merrill to submit a list of all delinquent water bills of the Downsville and Cooks Falls Water Districts to the County to be added to the property owners' tax bills for 2024, if these bills are not paid by October 31, 2023.

Resolution was seconded by Janet Champlin.

This resolution was put to a vote and resulted as follows:

Town Supervisor, Arthur M. Merrill	voting aye
Councilperson, Janet Champlin	voting aye
Councilperson, Gregory L. Lavorgna	absent
Councilperson, Julie A. Markert	voting aye
Councilperson, Daniel J. Pinner	absent

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

Supervisor Merrill reported that William Reichert contacted us regarding the Christmas Parade to be held December 9th; we need resolutions to sponsor parade and to authorize use of Pepacton Park for a turnaround for floats to travel back to DCS. Board discussed.

NO. 76-2023 10/04/23 Sponsor Christmas Parade & File Perm33c

Julie Markert made the following resolution:

BE IT RESOLVED that the Town Board of the Town of Colchester hereby sponsors the Christmas Parade to be held at 4:30PM Saturday, December 09, 2023 on NY State Highway 30 and 206, Downsville, New York and hereby authorizes the Supervisor to file the NYSDOT Special Use Permit Application (Perm33c) on behalf of the Downsville Christmas Parade Committee.

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

NO. 77-2023 10/04/23 Public Facility Permit No.07-2023

Julie Markert made the following resolution:

WHEREAS, William Reichert on behalf of the Downsville Christmas Parade Committee has applied for a Public Facility Permit to use the Pepacton Park located at 15500 State Hwy 30, on Saturday, December 9th from 4:30PM to 6:30PM for turning around of Christmas Parade Floats to proceed back to Downsville Central School;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes the Town Clerk to issue Public Facility Permit No.07-2023 to the Downsville Christmas Parade Committee for the use of the Pepacton Park located at 15500 State Hwy 30, Downsville.

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

Supervisor reported that our Assessor has made the recommendation to re-appoint Thomas Zampolin to the Board of Assessment Review; Tom has agreed to a five-year term to end 09-30-2028. Board discussed.

NO. 78-2023 10/04/23 Appoint Thomas R. Zampolin to Board of Assessment Review

Upon recommendation from Assessor D. Joseph Gifford, Janet Champlin made the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Colchester hereby re-appoints Thomas R. Zampolin of Jug Tavern Road, Downsville, New York to the Board of Assessment Review for the term of 10-01-2023 to 09-30-2028.

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

Supervisor Merrill made the following announcements:

- Next Regular Meeting is Wed. October 18th at 5PM.
- Town Hall Offices Closed Monday, October 9th Columbus Day.

Councilwoman Markert stated that she attended a presentation from Kristina Zill of CEC Delaware County regarding a \$5,000 CEC Grant Program that they would like the Town of Colchester to participate in. board discussed. Supervisor will contact Ms. Zill.

SUBMISSION OF BILL/EXPENSES: Julie Markert made the motion, seconded by Janet Champlin, that the vouchers be approved, subject to any corrections or deletions, Janet Champlin-aye, Julie Markert-aye, Arthur Merrill-aye, Dan Pinner-absent, Greg Lavorgna-absent, motion carried. Abstract No. 19-2023 Voucher No.563-593; Totaling \$261,572.48.

Town Clerk presented the 2024 Tentative Budget to the Town Board Members. Supervisor reported that our tax cap was around \$72,777. Supervisor went over the Tentative Budget line by line and Board discussed items.

General Fund Appropriations Increase of 73,765.

General Fund Estimated Revenues increase of 14,200.

General Fund Total Increase of 59,565 from 2023 Budget.

Highway Fund Appropriations Increase of 54,000.

Highway Fund Estimated Revenues Increase of 60,000.

Highway Fund Total Decrease of 6,000 from 2023 Budget.

Total of 70,716 increase over 2023 Budget.

Totals need to be reviewed once again before % can be calculated, but under the tax cap.

Councilwoman Markert announced that the Republican Club is having a dinner on October 13th honoring our retiring Town Justice Arthur Edel and Town Clerk Julie Townsend.

Janet Champlin made the motion to go into executive session to discuss possible litigation, seconded by Julie Markert, Janet Champlin-aye, Julie Markert-aye, Arthur Merrill-aye, Dan Pinner-absent, Greg Lavorgna-absent, motion carried. Board entered executive session at 5:52PM. Office Cawley was invited to stay. Board held discussion. Julie Markert made the motion to enter back into regular session, seconded by Janet Champlin, Janet Champlin-aye, Julie Markert-aye, Arthur Merrill-aye, Dan Pinner-absent, Greg Lavorgna-absent, motion carried. Board entered regular session at 5:55PM. Board made no decision forthcoming.

With no further business, Julie Markert made the motion for adjournment, seconded by Janet Champlin, Janet Champlin-aye, Julie Markert-aye, Arthur Merrill-aye, Dan Pinner-absent, Greg Lavorgna-absent, motion carried. Meeting adjourned at 5:55PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk