

December 06, 2023

A Public Hearing was held by the Town Board of the Town of Colchester, Delaware County, New York on Wednesday, December 06, 2023 at 5PM in the Town Hall for the purpose of hearing the public's comments upon a proposed local law, Adopt Local Law "A LOCAL LAW DESIGNATING TOWN HIGHWAYS FOR TRAVEL BY OFF HIGHWAY VEHICLES". Proof of Notice having been read by the Town Clerk, the Public Hearing was called to order by Supervisor Arthur M. Merrill.

Residents in attendance: Kenneth Eck, Elizabeth DeFalco, Allison Gill, Joan Homovich, Rob Hafele, James Christie, Amelia Fish Foote, George Jones, Roger Lynker, James Noviello, Andrew Mattson and Officer Cawley.

Joan Homovich, Roger Lynker and Andrew Mattson expressed their concerns with the local law. Supervisor read a letter from Dayette Zampolin expressing her concerns, especially regarding snowmobile trails .

James Christie, Amelia Fish Foote, George Jones, James Noviello, Andrew Mattson and Julie Markert spoke in favor of the proposed local law.

No one spoke against of the proposed local law.

All persons desiring to be heard, having been heard, the Public Hearing was declared closed by Supervisor Merrill at 5:42PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk

.....

December 06, 2023

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held immediately following the Public Hearing on Wednesday, December 06, 2023 at 5:43 PM at the Town Hall.

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

Absent:	Daniel J. Pinner	Councilman
---------	------------------	------------

Recording Secretary:	Julie B. Townsend	Town Clerk
----------------------	-------------------	------------

Others present: Kenneth R. Eck, Jr.-Highway Supt., The Reporter-Elizabeth DeFalco, Allison Gill, Joan Homovich, Rob Hafele 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, November 15, 2023 had been distributed earlier. Julie Markert made the motion to accept the minutes as written, seconded by Janet Champlin, Janet Champlin-aye, Greg Lavorgna-aye, Julie Markert-aye, Arthur Merrill-aye, Dan Pinner-absent, motion carried.

VISITOR COMMENTS: Joan Homovich commented that she saw that the hydrant by the covered bridge was going to be buried, is this for good? Supervisor replied that Councilman Pinner suggested to bury the hydrant instead of fixing because it kept getting run into and we have a water source very close, the river. Ms. Homovich inquired if this hydrant and others are mapped out and will it be noted that this one was buried? Also it was stated that the person who hit the hydrant was

paying installments, are we setting a precedence? Supervisor replied that we may replace the hydrant in the future or may use the funds somewhere else in the water district; the DWD is responsible for the fire hydrants; fire hydrants only have two hours of usage, if used more than it would drain the water tank.

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

- Cooks Falls Water District- November 2023- 6 customer balance due \$300.00; Receipts of \$405.07 disbursed to Supervisor; 12 customer re-levied to 2024 County/Land Taxes in the amount of \$2,285.00.
- Downsville Water District- November 2023- 12 customers balance due \$986.05; Receipts of \$4,006.03 disbursed to Supervisor; 15 customer re-levied to 2024 County/Land Taxes in the amount of \$5,290.85.
- Town Clerk- November 2023- Total disbursed \$2,129.12 of which \$2,103.12 was Town revenues.
- Police- November 2023 Activity Report.
- Town Justice Conrow- \$30,158.00 reported for November 2023.
- Town Justice Edel- \$8,099.00 reported for November 2023.
- Planning Board- 09-21-2023 Minutes.

Supervisor reported that sheetrock and flooring is being installed at the Public Safety Building.

Supervisor Merrill reported that a request has been sent for an extension on the Park Paddle Project.

Supervisor reported that we will be having another workshop on the short term (transient) rental regulations before our next Board Meeting, December 20th at 4PM.

Supervisor Merrill reported that the Town held a public information meeting tonight, Dec.06, 2023 regarding a proposed Local Law "A LOCAL LAW DESIGNATING TOWN HIGHWAYS FOR TRAVEL BY CERTAIN OFF-HIGHWAY VEHICLES"; at which time comments were received. The Town of Colchester, as lead Agency, conducted a review pursuant to Article 8 (State Environmental Quality Review Act- SEQRA) and in accordance with 6NYCRR Part 617 for this Unlisted Action, and has prepared a Short Environmental Assessment Form. Julie Markert made the motion, seconded by Janet Champlin that the project scope does not appear to have any adverse environmental impacts based upon Town determination and therefore a negative declaration is hereby declared and hereby authorizes Supervisor Arthur M. Merrill to sign said documents.

This motion was put to a vote by roll call and resulted as follows:

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

Motion carried and declared to be duly adopted by the members of the Town Board of the Town of Colchester.

Town Board then made the following resolution.

NO. 94-2023 12/06/23 A RESOLUTION ADOPTING LOCAL LAW NO. 1-2023

At a regular meeting of the Town Board of the Town of Colchester, held at Colchester Town Hall, 72 Tannery Road, Downsville, New York on the 6th day of December, 2023, Julie Markert offered the following resolution:

WHEREAS, at its regular meeting of October 04, 2023, the Town Board introduced a Proposed Local Law of the Year 2023 entitled "A LOCAL LAW DESIGNATING TOWN HIGHWAYS FOR TRAVEL BY CERTAIN OFF-HIGHWAY VEHICLES"; and

WHEREAS, the Town Board scheduled a public hearing for December 6th at 5:00 p.m. for said Proposed Local Law, which hearing was duly noticed and advertised in the official newspaper of the Town and posted on the Town Clerk's signboard; and

WHEREAS, said public hearing was held at Colchester Town Hall, 72 Tannery Road, Downsville, New York on the 6th day of December, 2023 at 5:00 p.m. and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, pursuant to Part 617 of the implementing regulations of the State Environmental Quality Review Act ("SEQRA"), on December 6, 2023, the Town Board determined that adoption of the Local Law constitutes an Unlisted Action as defined under said regulations, and after considering the possible environmental impacts of the Local Law, further determined that the adoption of said Local Law will not have a significant adverse impact on the environment and issued a negative declaration for purposes of SEQRA; and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of public health, safety and welfare to adopt said Local Law.

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Colchester hereby adopts said Proposed Local Law as Local Law No. 1 of the Year 2023 entitled "A LOCAL LAW DESIGNATING TOWN HIGHWAYS FOR TRAVEL BY CERTAIN OFF-HIGHWAY VEHICLES"; and

BE IT FURTHER RESOLVED that the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and give due notice of the adoption of said Local Law to the Secretary of State; and

FURTHER RESOLVED that this resolution will take effect immediately.
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 L. Champlin	voting aye
Councilperson, Gregory L. Lavorgna	voting aye
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 commented that we need to advertise for the Organizational Meeting and decide what time our meetings are going to be held. Board discussed.

NO. 95-2023 12/06/23 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 03, 2024 at 5:00PM 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 was seconded by Janet Champlin, Janet Champlin-aye, Greg Lavorgna-aye, Julie Markert-aye, Arthur Merrill-aye, Dan Pinner-absent, resolution declared adopted.

Supervisor Merrill read a letter of resignation from Lynda Dolocheck as Deputy Town Clerk.

NO. 96-2023 12/06/23 Accept Letter of Resignation

Greg Lavorgna made the following resolution:

WHEREAS, Lynda Dolocheck has handed in a letter of resignation as Town of Colchester Deputy Town Clerk, effective immediately, December 07, 2023;

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby accepts letter of resignation from Lynda Dolocheck with regret.

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

Supervisor Merrill made the following announcements:

- Town Clerk Office Hours December 2023: Tuesday-Wednesday- Thursday 9am to 3pm.
- Next Regular Meeting is Wed. December 20th at 5PM.
- Town Hall Offices Closed Monday, Dec. 25th and Monday, Jan 1st.
- Open House for Justice Arthur C, Edel- Thurs., Dec 28th Noon to 4pm.

Councilwoman Markert asked if we still had the poles & plates that we used for the previous Street Scape Projects? There is another \$5,000 grant through the Roxbury Arts Group for a Street Scape Project; applications are due by January 11th; asking for suggests. Councilwoman Markert would like to apply.

Councilwoman Markert asked how the Public Safety Building was coming along? Supervisor replied that he and CEO Hascha are visiting the site tomorrow. Board held discussion.

Councilwoman Markert commented that Wayne Bank has 5.29% Municipal Accounts. Supervisor commented that all our funds are tied up with Community Bank.

Councilwoman Markert inquired about the status of a Dog Control Officer. Board discussed.

Councilman Lavorgna stated that a complaint of chickens in the Cooks Falls Cemetery has been made again; they are going to call the CEO and then DEC.

Councilwoman Champlin commented that Del Co Office for the Aging is offering Tai Chi Classes at the Downsville Fire Station on Tuesdays and Thursdays from 2pm-3pm for a total of 20 sessions; classes will start Jan. 16, 2024. Board discussed.

NO. 97-2023 12/06/23 Senior Citizens Tai Chi Classes

Julie Markert made the following resolution:

BE IT RESOLVED that the Town Board of the Town of Colchester hereby authorizes to cover the expense of the Tai Chi Classes being offered by Del Co Office for the Aging at the Downsville Fire Station for those Colchester Senior Citizens who need financial assistance.

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

Greg Lavorgna made the motion to go into executive session to discuss police personnel issues, seconded by Janet Champlin, Janet Champlin-aye, Greg Lavorgna-aye, Julie Markert-aye, Arthur Merrill-aye, Dan Pinner-absent, motion carried. Board entered executive session at 6:33PM. Officer Cawley was invited to stay. Board held discussion. Julie Markert 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, Dan Pinner-absent, motion carried. Board entered regular session at 6:48PM. Board adopted the following resolution.

NO. 98-2023 12/06/23 Appoint Part-time Police Officers

Janet Champlin made the following resolution:

WHEREAS, the Town Board of the Town of Colchester recognizes the need of continuing its Police Dept. for the safety and welfare of its residents; and

WHEREAS, the Town Board of the Town of Colchester recognizes the need of Part-time Police Officers for the future of the Police Dept.; and

WHEREAS, the Town of Colchester had advertised for certified part-time police officers and held interviews thereafter;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby appoints certified officer Bryanna N. Houck of 10 Beale Blvd, Sidney, NY, as a Town of

Colchester Part-time Police Officer contingent upon successful psychological test and fingerprint background check at the part-time pay rate and with no benefits.

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

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, Greg Lavorgna-aye, Julie Markert-aye, Arthur Merrill-aye, Dan Pinner-absent, motion carried. Abstract No. 23-2023 Voucher No.680-722; Totaling \$213,001.45.

With no further business, Greg Lavorgna made the motion for adjournment, seconded by Julie Markert, Janet Champlin-aye, Greg Lavorgna-aye, Julie Markert-aye, Arthur Merrill-aye, Dan Pinner-absent, motion carried. Meeting adjourned at 6:53PM.

Respectfully Submitted:

Julie B. Townsend, Town Clerk