

August 21, 2024

The regular meeting of the Town Board of the Town of Colchester, Delaware County, New York was held on Wednesday, August 21, 2024 at 5:00 PM at the Town Hall.

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

Absent:                    Gregory L. Lavorgna    Councilman

Recording Secretary: Allison R. Gill       Town Clerk

Others present: Kenneth R. Eck, Jr.-Highway Supt., Alan Donner, Roger Lynker, Joan Homovich, Mr. and Mrs. Spaeth, Rob Hafele, James Christie, 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, August 7, 2024 had been distributed earlier. Julie Markert made the motion to accept the minutes as written, seconded by Janet Champlin, Dan Pinner-aye, Julie Markert-aye, Arthur Merrill-aye, motion carried.

GUEST: None

VISITOR COMMENTS:

Roger Lynker spoke about the front page article in The Reporter. He was appalled that the article was written to seem as though our Board was not in support of the individual’s freedom of speech on the signs throughout the town. Supervisor Merrill assured him that the Board had no open disdain for the signs, as the Board agrees on an individual’s freedom of speech. The Board thanked Mr. Lynker for his heartfelt statements in support of this individual and for our Freedom of Speech as a US citizen.

Joan Homovich attended the meeting with one request in mind. She spoke that she wanted the Board to support her and to allow Supervisor Merrill to make a call to the DEC about what their plans are for the Pepacton Reservoir, and what are the plans to save us from floods? Joan had many figures on the levels of the reservoir and the expected levels. She is very concerned for the Aqueduct shutdown. The Pepacton is at 90.9% currently. Board discussed.

Rob Hafele approached the Board about the river and the changes that the last storm has made. There is just a sand bar where once there was the river channel. He has been watching kayakers, canoers, and drift boats all having to get out of their boats and carry them around this area. Rob stated that he wished there was a way for it to be cleaned out. This is not something the Board has control over.

Mr. and Mrs. Spaeth spoke of their property and the washing out of Downs Brook and undermining their property. The Board discussed that this was a weather related incident, no one knows what and when it will happen. The Board does not have the authority to just allow the Town to “dig” out the rivers. Supervisor Merrill spoke about the possible grants that will be available to individual homeowners to do work and fix flood damaged property.

Joan Homovich then spoke about the possible increase of the town water bills. She requested that if there is to be an increase she would like a spreadsheet showing the annual cost of testing, and maintenance of the systems.

Board discussed the ongoing complaints that are being said on the social media site. The Board stated that anyone that has a complaint, the complaints have not been given to anyone at the Water District and not to Board members. Homeowners who have the Town water supply should make their complaints known to the Water District.

The 2024 Budget showed expenditures of \$112,000 and revenue of \$106,180 for this year. Some increase needs to be made to just make the budgeted expenses, The cost for monthly testing has increased as well as the amount of test needed to be done. The issues with our water district cannot be addressed when we have no monies to do anything about them. The last increase was in 2017.

The Cooks Falls Water District will also have an increase in their bills. Cooks Falls Water has never had an increase in their monthly billing.

The notice of increase will come with the October billing cycle to begin the first cycle of next year. No public hearing is required for us to raise the water rates.

#### CORRESPONDENCE:

The Town Pool inspection was done by DOH. The inspection went very well with just a couple small repairs needed. Repairs were made and then forwarded to DOH. Supervisor Merrill spoke with Jody Reed about the repairs.

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

#### UNFINISHED BUSINESS

- DWD- Downsville Water System Improvement Project DWSRF #17537: Meters & Installation No change
- Public Safety Building- Schedule an Open House for the community to come see the new building. Janet Champlin will set this up for early fall. At the next Board Meeting, Supervisor Merrill will have a final amount of what this whole project cost in total.
- NYCDEP hookup to DWD: DEP Bid out 2023; Construction 2024
- Park Paddle Project – Work on this project was put on hold after this last flooding event.
- Town of Colchester Comprehensive Plan Update Grant- Meeting was on 8/22/24.
- Cemetery Drainage Project –Soil and Water is putting together the blueprints to fix the drainage issue.
- Town Pool- Roof is complete.

NEW BUSINESS : DWD and CFWD rate increase. Currently, DWD pays \$60.00 a quarter and the CFWD pays a flat rate of \$50 a quarter.. We will look in to what other towns around us are getting per quarter for their water. It is known that Colchester pays very minimal compared to other surrounding towns. There are 2 bonds that the Water District has to pay back. The combined amount is #26,000. One of those bonds will be paid off this year. The Downsville Water District still owes the general budget \$26,000. A public hearing was discussed, but is not a requirement to increase the rates. The October billing cycle will have a letter stating what the increase will be and it will begin for the January 2025 billing cycle.

PERSONNEL : None

#### **NO. 68-2024 08/21/24 Support Supervisor Merrill to make DEC phone call.**

Julie Markert made the following resolution:

WHEREAS, the Town Board has concern on the Pepacton Reservoir and the plans for future flooding in our Town, and want Supervisor Merrill to contact the DEC,

. THEREFORE, BE IT RESOLVED that the Town Board of the Town of Colchester hereby agrees to support Supervisor Merrill on the decision to make the appropriate phone calls to the DEC for the concerns of the citizens of our Town on the plans for the future storms and possible flooding as a result of the Pepacton Reservoir levels as of now. Resolution was seconded by Janet Champlin, all in favor, resolution declared adopted.

Supervisor Merrill stated that the next scheduled Board meeting is for September 4, 2024 @ 5pm. We are aware that 2 of the Board members will not be present at this meeting. Board discussed to continue with the meeting. If one of the remaining 2 members is not able to make it for any reason, the Board will cancel that meeting. In this case, the Board Members have authorized Supervisor Merrill to go ahead pay the bills for that meeting.

#### **NO.69-2024 08/21/24 Support Supervisor Merrill to pay all bills in abstract #16.**

Janet Champlin made the following resolution:

WHEREAS, If the Town Board has to cancel their September 4, 2024 meeting, due to not enough members, the vouchers be paid by Supervisor Merrill,

THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes Supervisor Merrill to pay all bills subject to any corrections or deletions for Abstract #16, in the event of a cancelled meeting. Julie Markert seconded this motion, all in favor, aye. Motion so carried.

Highway Superintendent Kenny Eck spoke to the Board about the Flood damages from the August 9<sup>th</sup> rain storm. Colchester declared an emergency, therefore we will have FEMA funding. Currently there are four major structures damaged, with the amount of repair for them being between \$4,000,000 to \$5,000,000.

Supervisor Merrill stated that we have money for awhile to cover. In the past, we were granted monies from the CWC to be paid back with the FEMA money. The town may have to do this again.

Supervisor Merrill made the following announcements:

- Next Regular Meeting is Wednesday, September 4, 2024 @ 5PM

SUBMISSION OF BILL/EXPENSES: Julie Markert made the motion, seconded by Dan Pinner, that the vouchers be approved, subject to any corrections or deletions, Dan Pinner-aye, Julie Markert-aye, Arthur Merrill-aye, Janet Champlin-aye, motion carried. Abstract No. 15-2024 Voucher No.546-582; Totaling \$182,364.60.

Councilman Lavorgna inquired to the status of the Veteran's Request. Supervisor replied that this has been turned over to the Assessor who is working with our local Veterans

Julie Markert made the motion to go into executive session, seconded by Dan Pinner, Greg Lavorgna-absent, Dan Pinner-aye, Julie Markert-aye, Arthur Merrill-aye, Janet Champlin-aye, motion carried. Board entered executive session at 6:03PM. Hwy Supt was invited to stay. Board held discussion. Julie Markert made the motion to enter back into regular session, seconded by Dan Pinner, Greg Lavorgna-absent, Dan Pinner-aye, Julie Markert-aye, Arthur Merrill-aye, Janet Champlin-aye, motion carried. Board entered regular session at 6:20PM. Board made no decision forthcoming.

With no further business, Julie Markert made the motion for adjournment, seconded by Janet Champlin, Greg Lavorgna-absent, Dan Pinner-aye, Julie Markert-aye, Arthur Merrill-aye, Janet Champlin-aye, motion carried. Meeting adjourned at 6:23PM.

Respectfully Submitted:

Allison R. Gill, Town Clerk