

**TOWN OF DELHI  
BOARD MEETING**

**June 12, 2018**

**7:30PM**

Supervisor Tuthill called the meeting to order at 7:38pm.

Those present:

Councilmember: Janet Tweed, Bill Cairns, Matt Krzyston

Highway Superintendent: Daren Evans

Absent: Councilmember Al Perkins

Delaware Co. Planning Department: Everett Farrell

Resident(s): Carol Morrissey, Jeff Barthelmes

**The Pledge of Allegiance** was led by Councilmember Cairns

**Privilege of the Floor:**

Carol Morrissey, President of Tanglewood Lake Homeowners Association approached the board and gave board members a memo to read. She questioned as to Tanglewood not being placed on the Flood Mitigation review for this year. Supervisor Tuthill stated that Everett Farrell was here tonight to discuss updating the plan. Ms. Morrissey further stated that the purpose of the memo she gave councilmember's was to clearly show there was a misunderstanding as to the closing of Bullet Hole Road also known as Tanglewood Lake Road. Beginning in the year 2000 the Delaware County Planning created a county mitigation plan listing each towns flood areas/potential flood areas. Tanglewood Lake was never mentioned in this report nor does it list Huska Road. In 2017 Ms. Morrissey was informed by Delaware County Planning Department that Bullet Hole Road (also known as Tanglewood Lake Road) was abandoned and closed, this is an oversight. She further stated that the paperwork provided from the town she felt clearly showed that no officer of Tanglewood Lake requested such closure of the road. She requested in 2017 to be added to the mitigation plan and was told the Town of Delhi must request such. The NYS Dam Safety Unit has deemed that Tanglewood Lake Dam be reclassified from a "A" rating to a "B" rating only because the road intersection Tanglewood Lake Road and Huska Road could be in danger of overtopping. She stated Tanglewood Lake dam is structurally sound and maintain the dam yearly. They have hired Rick Woitd of Woitd Engineering & Consulting, PC to design new cement shoes and other work. The DEC has never stated there is a problem with the Tanglewood Lake Dam, she has presented their report to the town council last year, which she states clearly stated only the overtop of the road changed the dam rating. Last October she was sent a letter by Supervisor Tuthill requesting a meeting between himself, the Highway Supervisor, Tanglewood Lake officers and NYSDEC to talk about what is needed for the road overtopping, she apologized for not responding until tonight. She stated the DEC will not meet or recommend engineering to correct the problem, a licensed NYS engineer is required to formulate a water flow plan that is expectable to the DEC so that the road does not overtop. The Lake Association is requesting to be placed on the Flood Mitigations list, as many residents feel should a flood happen emergency equipment would not be able to access the community and render aid. They need to rectify this and want to work with the council and be placed on the list for flood mitigation.

Supervisor Tuthill stated this is why he invited the County is here this evening to explain how we go about amending and upgrading as there is information that is outdated. This will be addressed when the board addresses “New Business.”

**Approval of May 8, 2018 Regular Board Meeting Minutes:**

Councilmember Cairns made a motion to accept the minutes of the May 8, 2018 Board Meeting with Councilmember Tweed seconding. Motion carried.

**Old Business:**

Supervisor Tuthill announced in order for the Town to hold a Special Election for the Annexation of seven properties on State Route 28, a public notice must be placed in the paper for two weeks and the earliest an election could be held would be Friday, June 29<sup>th</sup>. He requested a motion be made for the Annexation on Route 28 Special Election, Resolution No. 007 of 2018:

**RESOLUTION NO. 007 OF 2018  
SPECIAL ELECTION**

Pursuant to Town of Delhi, Resolution No. 003 of 2018 adopted May 8, 2018, by the Town Board of the Town of Delhi; notice is hereby given of a Special Election on Friday, June 29, 2018, for the purpose of annexing of certain scheduled town properties to the Village of Delhi.

Shall the territory generally described below be annexed to the Village of Delhi:

- Tax Map No. 171.18-4-5.2 – 18733 State Hwy. 28
- Tax Map No. 171.18-4-1.2.– 18718 State Hwy 28
- Tax Map No. 171.18-4-1.1 – State Hwy 28
- Tax Map No. 171.18-4-2.1 – State Hwy 28
- Tax Map No. 171.18-4-5.1 – 18693 State Hwy 28
- Tax Map No. 171.18-4-2.2 – 18838 State Hwy 28
- Tax Map No. 171.18-4-4 – 18671 State Hwy 28

Pursuant to General Municipal Law § 713; all persons residing in such territory proposed to be annexed, or residing out of the territory proposed to be annexed but residing on a parcel of land where a portion of such parcel is within such territory proposed to be annexed and qualified to vote for officers of the city, town or village, as the case may be, in which such territory is situated shall be entitled to vote.

Above said election shall consist of paper ballots and will be held at the Delhi Town Hall, 5 Elm Street, Delhi NY. Special Election will be held from 9:00am – 3:00pm.

Councilmember Tweed made the motion to accept the above resolution with Councilmember Cairns seconding. Resolution No. 007of 2018 was passed by the board with all present members favoring. Supervisor Tuthill authorized the Town Clerk to advertise the above and to hold the election from the hours of 9:00am to 3:00pm. He also authorized the clerk to bill the Village for the two election inspectors required for the special election. Mayor Maxey stated the Village would pick up the cost of the special election. Councilmember Krzyston questioned who would be voting for this election, where as Supervisor Tuthill stated this election is only open to the seven properties listed above.

Supervisor Tuthill announced that he and Bovina Town Supervisor Tina Mole' had a meeting about the Bramley Mountain Fire Tower with the Catskill Mountain Club. They want to reconstruct the fire tower that was sold to the Clark family, the issues are someone needs to carry the insurance and they would like Delhi and/or Bovina to provide the insurance. The insurance must be provided to NYC as it is going to be on the cities property. NYC is acceptable with the placing of the tower as long as they get the insurance coverage, they will then issue the town(s) access permits so that the trail (tower) can be used. Councilmember Perkins as an insurance man he is not crazy about the insurance as Supervisor Tuthill also agrees. The other issue is maintenance of the tower; we would be responsible for this also. The Catskill Mountain Club can get the money to reconstruct the tower but does not have the funding for operating and maintaining it. The Clark family that owns the tower does not wish to sell it, but will lease it. Supervisor Tuthill feels this is a huge liability for the town and leasing puts a hole other spin on things. He is asking for input from the board, Councilmember Krzyston thought it was much simpler than it is being presented and wants to look into the matter further, Councilmember Tweed has heard varying information. Supervisor Tuthill will send this information to the attorney for his input also. Councilmember Krzyston wants to see it happen.

Supervisor Tuthill announced at this point nothing has changed, once school is out we will close the playground and community members can use the school playground as construction of the pool will be starting soon.

#### **New Business:**

Supervisor Tuthill introduced Everett Farrell of Delaware County Planning Board here to discuss the Delaware County All Hazard Mitigation update/revisions. Supervisor Tuthill wanted him to explain what exactly it is and what it does for our community. Mr. Farrell stated that per federal law we must have a county all hazard mitigation plan, which is broken up essentially between villages and towns. This plan is done every five years and Delhi is currently out of date. Contacts and hazards have changes and some have been addressed, they sent out packets for updating. This opens up FEMA funding. The towns just need to list what they want added in and taken out. This form needs to be done within 30 days.

Supervisor Tuthill stated he needed authorization to allow the bookkeeper to amend the budget for the Court Grant as follows:

Increase Cr. A3060 - \$25,962.98

Increase Db. A1110.2 - \$25,962.98

Councilmember Cairns made the motion authorizing the transfer between funds with Councilmember Krzyston seconding. Motion carried.

#### **Committee Reports:**

**Highway/Machinery:** (Councilmember's Perkins & Cairns) –

Deputy Highway Superintendent Rosenthal announced they have been very busy, they just finished ditching projects and have covered several miles. They have started with grader patching on Arbor Hill and are working on Huff Road and doing road side mowing. The rental grader has been returned, the roller we usually use, we are unable to get and are getting one from another vendor. The mechanic is working great he is an asset to the town. He is going through the Oshkosh now for this winter, He has been very busy. Councilmember Krzyston asked if the Village of Delhi has brought any machinery over, Rosenthal responded as of yet no. Supervisor Tuthill stated that Councilmember Cairns has gotten estimates on replacing the garage roof which is going to be over \$100,000 due to prevailing

wage. We will have to draft out specs and put the job out to bid. Financially this is a strain but a necessity.

**Health/Youth:** (Councilmember's Tweed & Cairns) – Councilmember Tweed we are looking into different possibilities for development and funding sources. Councilmember Cairns stated he had the opportunity to attend with Councilmember Tweed the end of the year presentation at SUNY Delhi of the architectural students. He wanted to give praise to the students and professors for taking several properties in the village/town and classified them as less/most desirable in terms of development. It was interesting to see what a fresh set of eyes can envision. They provided a lot of food for thought. Councilmember Tweed further stated to piggy back of that idea Delhi really needs a “market study” to see what the wants and needs actually are. SUNY Delhi College President will meet with the Supervisor and Village Mayor in the future to discuss further, although the market study will cost.

**Economic Development/Shared Services:** (Councilmen Perkins & Krzyston) – N/A

**Recreation:** (Councilmember Perkins) –Supervisor Tuthill stated they had a pre construction meeting for the pool, although no actual start date has been announced. Councilmember Krzyston stated the volleyball net has been installed.

**Personnel:** (Councilmember Perkins & Councilmember Tweed) – N/A

**Building:** (Councilmember's Cairns & Krzyston) – Councilmember Cairns stated the court room door has been repaired and lights in the clerk's office have been replaced. A recommendation has been made to remove the shrubs out front as they are too close to the building and moisture is trapped there. He is looking at moving the AC out of the clerk's office and repairing the wall, also looking in the ceiling to see what insulation is necessary. He made a motion to move forward and get bids if necessary on the projects needed. Councilmember Krzyston seconded the motion. Motion carried.

**IT:** (Councilmember Tweed) – Councilmember Tweed announced the Gov.Pay.net paperwork has been submitted and we are waiting to hear back from the company. She and Town Clerk Schmitz attended a webinar regarding for local officials on cyber attacks, she has the contract for ISD and will make sure we are adequately covered.

**CODES:** (Councilmember Cairns) – Councilmember Cairns announced there were four building permits issued and one sign permit for May, code officer traveled 154 miles. Councilmember Tweed announced she had received information regarding a “green” code course being offered for codes. She will send it to the clerk to see if the code officer has attended this course.

#### **CODES Monthly Report:**

A motion was made by Councilmember Cairns to accept the May 2018 Code Report. Councilmember Krzyston seconded the motion. Motion carried.

#### **Justice Court Report:**

A motion was made by Councilmember Krzyston and seconded by Councilmember Tweed to accept the May 2018 Justice Report. Motion carried.

#### **Clerk's Monthly Report:**

A motion was made by Councilmember Cairns to accept the May 2018 Clerk's Report, and seconded by Councilmember Krzyston. Motion carried.

#### **Supervisor's Financial Report:**

Supervisor Tuthill presented the board with May Supervisors Financial Report with Councilmember Krzyston making the motion to accept and Councilmember Tweed seconding. Motion carried.

**Supervisor’s County Report:**

Supervisor Tuthill not much going on at the County level, all the big projects are kind of stuck in limbo right now. He stated he has a meeting on Thursday regarding the stream acquisition program that DEC is looking to roll out into the watershed. If they roll it out towns are automatically in whether they like it or not. It allows the city to purchase smaller parcels then now set. He believes this will hurt our area considerably. We are at 104% percent of what they were to purchase. We have been fighting to restrict them from purchasing more. They have been pushing this to the health department as people need to keep jobs and have services. Pat Palmer new head of the health department went on a farm tour and saw firsthand what we are facing. The coalition in Delaware County has already gone on record stating when the next water supply permit comes up for vote with NYC and the state we will not do it with the land acquisitions.

Councilmember Krzyston there was an article regarding the Walton site for the mental health facility, in which it stated there should be more transparency in the DPW facility. There are discussions on going between the county attorney and the Bishops farm attorney.

**Abstracts:**

Councilmember Krzyston made the motion to approve Abstract #006 - 2018 accounts A – SF Voucher No. 208-263= \$168,153.85 and account TA Voucher No. 158-160 = \$10,562.19. Total of presented vouchers for Abstract #006-2018 - \$178,716.04. Councilmember Tweed seconded the motion. Motion carried.

**Adjourn:**

Councilmember Krzyston announced we have a state champion at Delaware Academy track superstar Logan Bruce what a big deal! Congratulations to Logan!

A motion to adjourn the regular monthly meeting at 8:35pm was made by Councilmember Krzyston and seconded by Councilmember Cairns. Motion carried.

Respectfully submitted,

*Elsa Schmitz*

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Town Clerk, Town of Delhi